BLOOD ON THE RUNWAYS

WHY THE GOVERNMENT LOSES AT MONOPOLY

CONFESSIONS OF A CAR LOVER

The Washington Monthly

DECEMBER
1979
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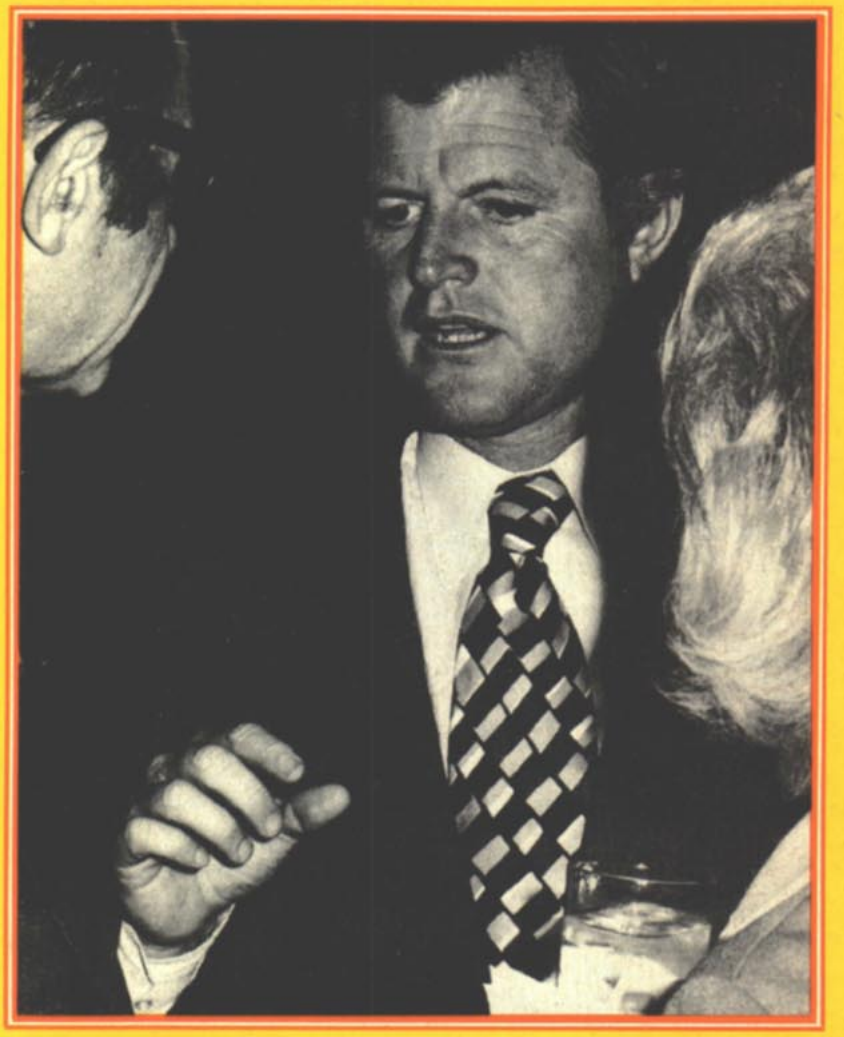

Kennedy's Woman Problem
Women's Kennedy Problem

by Suzannah Lessard

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Government used to be the referee.

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Now it's the other team!

Business vs. Labor, Producers vs. Consumers, Conservationists vs. Developers. Historically, when those battles were joined, government would play the role of an impartial referee...for protection against unnecessary roughness!

Today, it seems the number of referees has grown, and they want to get into the game themselves!

They set up countless regulations that cost millions of dollars and often cut productivity. *The players spend more time learning the rules than playing the game.*

Too much regulation disrupts the ability of the marketplace to function. When this happens, we're all penalized. Business lacks the capital it needs to expand. Workers find their pay increases buy less—and some even lose their jobs. All consumers feel the pinch as business operating costs are passed through in higher prices.

Let's subject those regulations to some "instant analysis"...sorting out those that overlap or simply don't make sense.

No need to toss out the rulebook, but our economy is the only game in town. So let's put the referees in their proper role and give the game back to the players...before the clock runs out. Amway Corporation, Ada, Michigan 49355

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Letters

Mail Fraud

I have just read Mark Feldstein's "Mail Fraud on Capitol Hill" [October 1979]. This represents the dirtiest and most contemptible type of yellow journalism. Let me quote from one of several places where you are completely dishonest:

"... when Milton Young gets an abortion letter, from whatever its source, he merely agrees wholeheartedly with his correspondent. 'I appreciated hearing from you and learning of your opposition to abortion,' he replied to our anti-abortion inquiry. 'I thought you would be pleased to know that I have strongly supported the position you take. I have been a co-sponsor of a resolution in the Senate proposing a Human Life Amendment since the Supreme Court issued its decision liberalizing abortion almost six years ago.' And he does not let this seemingly uncompromising language fluster him when he receives a pro-abortion query. 'I appreciated hearing from you and receiving your views on this matter,' he writes. 'I agree with you that a woman should have the right to decide whether or not she wants an abortion....'"

The dishonest thing about this is that it leaves out the rest of the line which makes my position in both letters completely consistent: "... but my position is against Federal funding of abortions, except in certain urgent situations."

These letters from you are ones that I particularly noted because [they supposedly came from] registered voters in North Dakota. North Dakota is the only state that doesn't have voter registration. My staff and I realized the letters were phony, but nonetheless I decided to reply....

You are accurate in saying that I have a low profile. I have never sought publicity, and my assignments in the Senate are such that they don't lend themselves to great publicity.... Coming from the most agricultural state of all, I have been deeply involved in farm legislation. In recognition of this, I frequently have been identified as "Mr. Wheat."...

I could hardly expect a journalist like you to make any correction or apology. Why don't you try, though.

MILTON R. YOUNG
Washington, D.C.

Mr. Young is the senior senator from North Dakota.

The editors reply:

Mark Feldstein's anti-abortion letter asked senators if they agreed that "life begins at conception, and that any attempt to abort that life can only be considered a form of murder." After having "particularly noted" the letter himself, Senator Young wrote back that he "strongly supported" that position. Feldstein's pro-abortion letter asked senators whether they agreed that "women should have the right to decide for themselves whether to have an abortion." Senator Young agreed. If he believes these responses are "completely consistent," the voters of North Dakota will have an interesting time trying to separate "Mr. Wheat" from the chaff.

Podhoretz's Commentary

In a piece of character assassination thinly disguised as a review of my book *Breaking Ranks* [October 1979] Charles Peters quotes certain words attributed to me by Kitty Kelley in *Jackie Oh!* If Mr. Peters, who is so free to castigate others for lacking decency and being inconsiderate, had checked with me before reaching into the gutter for additional information, I could have told him that I have never met Kitty Kelley nor spoken with her about Jacqueline Kennedy or anything else.

NORMAN PODHORETZ
New York, New York

Mr. Podhoretz is the editor of Commentary.

The editor replies:

Poor Podhoretz. The problem, as I indicated in my review, is that he sees red when he is criticized, so much so that he can't read clearly. For example, I did not attack him for lacking decency but specifically praised him for having it.

Kitty Kelley says the Podhoretz quote from *Jackie Oh!* came from notes given her by Liz Smith of *The New York Daily News*, who had interviewed him. Kelley still has the notes, in the event Podhoretz wishes to pursue this matter further.

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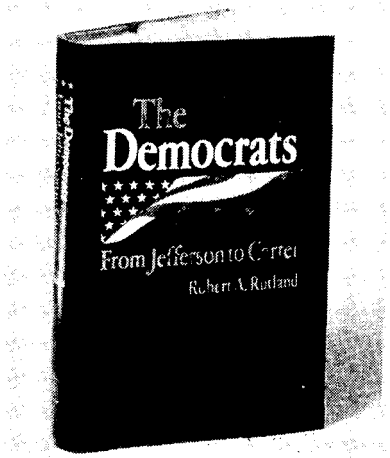

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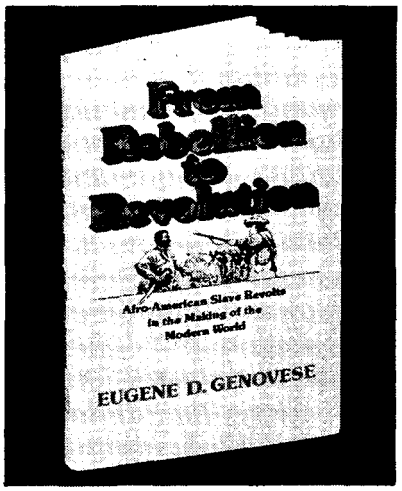

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Tilting at Windmills

Why did that poor civil servant get fired for protesting against the rattlesnake meat on the menu of a fancy Washington restaurant? He has been reinstated, thank goodness, but why did his boss, Cecil Andrus, write not one but two letters of apology to the restaurant's proprietor?

I find the explanation in an advertisement now being run by the Diners Club. It shows the smiling maitre d' of the Windows on the World restaurant in New York ready to extend you a warm greeting. The headline reads, "How to impress the establishment." Many men like Cecil Andrus really believe this ad. You can see their faces glow as Jean Louis rushes forward and says, Ah, yes, Monsieur Andrus, how good to see you, a table for three, right this way.

I have been struggling to make a point in this column that modern Americans are increasingly tending to define themselves by their taste, whether in the arts they appreciate, the products they buy, or the restaurants they patronize. The restaurants can give you something Bach and Yamaha can't—a headwaiter who will, by his greeting, confirm your acceptance into the circle of the tasteful. Indeed, it may be that headwaiters have their greatest power over men who, denied the warm glow of acceptance conferred by membership in a prestigious luncheon club, need to get it from the attentions of a solicitous staff at a fashionable restaurant. . . .

Remember those coupons United and American Airlines were handing out last summer, the ones that permitted you to fly for half fare? A thriving business developed as traders bought coupons from people who had them and couldn't use them and sold them to people who didn't have them but were ready to travel. One Pentagon employee, traveling on official business, tried to save the government some money by paying $50 for a coupon that cut three times that much from the cost of his ticket. Was he praised for his frugality? No. In fact, the Department of Defense refused to reimburse him for the coupon. Why? Many government travel officials would not permit, let alone encourage, their employees to use the coupons because the officials feared that if they saved money by using the coupons this year, somebody might try to cut their travel budget next year. Why risk having to explain asking for $30,000 next year when you spent only $20,000 this year? If you spend $30,000 *this* year, you won't have to explain. . . .

Among the woolly mammoths of our defense history, the Anti-Ballistic Missile (ABM) is remembered by the Pentagon with special fondness. ABMs had accuracy problems; basically, it was hard for them to hit the sky. This did not prevent the Defense Department from building a $2 billion ABM base near Grand Forks, North Dakota, in the early 1970s. It was decommissioned three months after it became operational.

Now, according to *The Washington Post,* the Pentagon—well aware that President Carter is anxious to sign anything and everything concerning the MX missile system, to help get the SALT treaty passed—is trying to

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revive the ABM. It wants to put a "small" ABM atop each MX firing shelter, perched there to defend the bigger missile against first strikes. Our sources could not confirm a plan to use the cancelled B-1 bomber as a spotter plane, circling above the ABM above the MX. We won't be surprised if someone over at the Pentagon is working on blueprints for a MOLABANAC —a Mobile Land-Based Nuclear Aircraft Carrier....

Ordinary life insurance has to be the laetrile of finance, among the worst investments you could have made during the inflation of the past 12 years. You are almost certain to have paid in dollars that were worth much more than those with which your beneficiaries will be paid off. Yet during that 12-year period the amount of life insurance in effect in the United States has risen from $1 trillion to $3 trillion.

How can so many people have acted against their own financial interests? Part of the explanation is that the insurance companies down through the years have blitzed us with so much advertising that we feel duty-bound to give them our money, and guilty if we don't—how could we be so heartless as to leave those children unprotected?

Another part of the explanation is that life insurance, like law and medicine, is a decentralized racket, with hundreds of thousands of salesmen (they don't call themselves salesmen, of course; they prefer terms like Certified Life Underwriters) spread throughout the land. And again, like lawyers and doctors, they are often respected pillars of the community. "How could this distinguished community leader be conning the pants off me?" you think.... One reason there is no federal regulation of the insurance industry is the grassroots political clout of the local agents, which is of course the same reason we have no real reform in medicine or the law.... Another example of grassroots political clout may be winding up to deliver a knock-out blow to Jimmy Carter. It is the 2.7 million federal employees who have been outraged by Carter's gestures toward civil service reform. Even though those gestures seem timid to me, they have been described by an influential civil service columnist, whose views are moderate compared to those of many federal employees and their union leaders, as a "scathing attack on government workers" and as "petty attempts to curb employee privileges and prerogatives." The National Treasury Employees Union, with 115,000 members, has already endorsed Kennedy. The political hazard for Carter is suggested by the fact that eight states and the District of Columbia each have over 100,000 federal civil servants. They include the electoral powerhouses of New York, California, Texas, Pennsylvania, Illinois, and Ohio....

Poor Carter seems to have *The Washington Post* against him too. I commented last month on the *Post*'s handling of the six-mile run. Then came Carter's 2 to 1 victory in the Florida caucuses. On October 19, *The Washington Star* gave the story a banner headline across the first page of its first edition and closed the day giving it a two-column headline in the upper-right-hand corner of page one. The *Post* had the story first that day, and ordinarily the first paper to publish a story gives it more prominence than those who run it later. So how did the *Post* call attention to the story? By giving it three paragraphs on an inside page....

The *Post* had another great triumph with its coverage of the Pope's visit. The *Post* had hyped the story with daily predictions of a million people descending on the Mall for the Papal Mass. The hype continued, long after the facts about hotel and travel reservations suggested a far different outcome. Well, 175,000 showed up.

The shortfall was costly. Hundreds of police officers, nurses, and subway attendants, "many on overtime," according to the *Post* itself, "stood

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around idle, waiting for something to do." There were 200 medical personnel on the Mall. They handled 200 minor problems. So the taxpayers took quite a bath. But the poor souvenir vendors suffered even more. By the end of the day, $2 buttons, bearing the Pope's picture, were selling three-for-a-dollar....

In the meantime, the Gannett newspapers were revealing, in an article that the *Post* did not print, that the Pope had participated in a cover-up of a $20- million scandal involving the Paulist fathers of Doylestown, Pennsylvania. Curiously enough, in none but the last incident do I suspect the *Post* of conscious bias. It is too good a paper to employ people who would deliberately slant the news. But they do get carried away by their sense of what makes sexy news: A Carter collapse and a Papal visit, but not a Carter victory. The Gannett story is another matter. The *Post* has a long-standing tradition of ignoring or downplaying good stories developed by other news organizations. The most spectacular example was when *The Los Angeles Times* uncovered the first smoking gun—Nixon's "I want you to stonewall it, plead the Fifth Amendment" statement to Haldeman, Ehrlichman, and Mitchell. The *Post* ran the story on page 8. Many other major papers are just as bad in failing to recognize stories developed by their competitors. It is for that reason I try from time to time to mention some examples of journalistic enterprise that seem to have been ignored by the major papers. A recent example was the article Beth Gillin Pombeiro did for the Knight-Ridder Newspapers about the Merchant Marine academy at Kings Point, New York. It seems that we the taxpayers are paying $15.3 million a year to operate this facility. It trains, not for public service, but for private employment in merchant shipping. We could, with equal logic, pay for the training of IBM's computer experts. This year we paid for the largest graduating class in 26 years, even

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though the number of jobs in the U.S. merchant marine has declined by more than two thirds in the same period. . . .

And a television station in Nashville, Tennessee, WTVF, has come up with some interesting facts about the American Red Cross. In a series entitled "Plasma for Profit," the station revealed that in 1977 the Red Cross had sold plasma for $29.4 million that had cost only $9.1 million to produce. . . .

Speaking of the Pope, we're told by people close to the Kennedy campaign that the senator's staff has absorbed an interesting lesson from the Papal visit with the result that Kennedy may not move as far to the right during the campaign as people expect. The reason: during his American trip the Pope, in speech after speech, said exactly what he believed—which was almost the opposite of what his audiences believed. But they all, including us, loved him for it—or maybe they loved him despite it. Either way, the lesson was not lost on Kennedy's aides. . . .

One of the more fascinating aspects of high interest rates as a method of fighting inflation has to be the way they *contribute* to inflation—by increasing the costs of everyone who has to borrow, including the government itself. What's so odd about this is that the people who advocate high interest rates as a solution to inflation are the same people who condemn government spending. Yet this policy is compelling the government to spend more. I hope you can explain it. I can't. . . .

The Organization of American States represents 25 nations. We pay 66 per cent of its cost. Why do we continue to waste money, acting like it's the 1950s and we're rich and everyone else is poor? To be as kind as possible, the OAS does little to advance the cause of hemispheric peace and prosperity. What it does do is contribute to the prosperity of 1,200 overpaid employees.

Why don't we break off relations with Chile? It is still refusing our requests for the extradition of three of Orlando Letelier's murderers. I suspect the reason is that we misapply the logic of American relations with important countries like Russia. We can't break those relationships, however angry they may make us, because we have to continue to talk to them. But why do we need to talk to the Chileans? Maybe some businesses do, but let them handle their own affairs. . . .

If there is one reasonable step that most of us can agree on and that has a realistic chance of passing Congress in the near future, it is the rollback of social security taxes. This would fight both inflation and recession. . . .

Be sure to read the article by Robert M. Kaus beginning on page 28 of this issue. It explains why high prices won't make Americans conserve gasoline. Rationing—probably the one thing that could make them conserve—recently won a seemingly improbable adherent, Sheik Yamani of Saudi Arabia, in an interview with reporters for *The Washington Star* and *The Wall Street Journal.* He was asked what does the United States have to do to keep you from raising your prices? He answered:

"A drastic action to reduce consumption."

"What kind of drastic action?"

"Rationing. Gasoline rationing."

The next day, perhaps after having been spoken to by some OPEC members who realized that gas rationing could not only prevent a price rise but cause a price decline, he backed off. Still, the moment of candor was interesting, particularly if you recall that we buy almost half of the oil on the

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world market and that in World War II rationing cut our consumption by 50 per cent. In other words we have the power over the seller that the biggest customer has when he is able to say, "I'm not going to buy"—and we have the ability to use that power. What's more, the centrist OPEC countries like Saudi Arabia, torn between their desire for the highest possible returns and their fear of propelling the world into economic chaos, have an incentive to accommodate us. But the Carter administration continues to pursue the path of decontrol, even though it has now admitted that will cost consumers $29 billion—twice what the administration had originally predicted. What a way to fight inflation!

It has long been our belief that, at the heart of the politics of selfishness, is the fear of being a sucker. "Nobody," we once wrote, "wants to be the fall guy who gives up his piece of the action while somebody else is cutting himself a better deal." That is why we have recommended gasoline rationing and wage and price controls as ways to meet our energy and inflation problems.

Here, in support of our view, are some excerpts from an important article by Paul Ingrassia that recently appeared in *The Wall Street Journal*:

"KANSAS CITY—'Are the people in this country willing to sacrifice to stop inflation?' asks Hal Cosgrove, a slim, bearded, 30-year-old construction contractor. With emphasis, he answers his own question: 'Absolutely not.'

"'It's asinine to think that any one of us is going to voluntarily give up anything. We're going to have to be forced,' he says.

"Jerry Gebhardt, a chunky, 40-year-old regional sales manager, underlines that point a few minutes later: 'I'm like most Americans—greedy and very selfish. I won't give up anything. I think most of us are that way—until it's put to us that we absolutely have to.'

"Mr. Cosgrove and Mr. Gebhardt are among 13 Americans sitting around a long, narrow table here discussing inflation. . . . The 13 men and women were selected for *The Wall Street Journal* by the Washington-based polling firm of William R. Hamilton & Staff as a typical group of middle-class Americans. The aim was to probe their thoughts on the causes of inflation and the possible cures and specifically to learn whether they will accept personal sacrifice as an antidote. . . .

"[M]ost members of the Kansas City discussion group say they won't volunteer to give up a thing, either in personal consumption or in government services, to help fight inflation. The only exception, they say, would be if every other American also was forced to sacrifice.

"But the 13 panel members from Kansas City seem downright eager to be forced to make sacrifices. They are unanimously for wage and price controls, as is over half of the nation according to the polls, and they say they want a strong national leader to rally the U.S. behind stiff cures to its economic malaise."

But where are the strong leaders who will advocate rationing and wage and price controls? Not Carter, not Kennedy, not Reagan, not Baker, not Bush. This may be because the respectable wisdom, both liberal and conservative, is that wage and price controls and rationing don't work. There *is* evidence that they don't work when enforced over a long period, as with rent controls in New York, but there is also strong evidence that they can provide short-term stability as they did in 1971 and 1972 and from 1942 through 1945. And if you missed our January 1979 issue, and are in danger of being misled by those economists who say that all price controls do is put a temporary lid on an explosion that will ultimately occur anyway, we pointed out in that issue that in the five years after the price controls of World War II, prices rose an average of 6.1 per cent per year, less than half our current inflation rate.

—*Charles Peters*

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The intelligent woman's guide to the touchiest issue of the 1980 campaign

Kennedy's Woman Problem Women's Kennedy Problem

This article was commissioned by *The New Republic*. The owner of that publication refused to print it. We asked to see it, because both its author and Michael Kinsley, the editor who commissioned it, are former editors of this magazine. We decided to publish it, not because we support or oppose Kennedy, but because we think the article has important and wise things to say about women and their relationship to him.

—*The Editors*

by Suzannah Lessard

Philandering, like heavy drinking, traditionally has been one of those activities that the boys in the press keep mum about when reporting on the boys on the Hill, or the boy in the White House, or any boy for that matter. The rationales for this silence are curiously contradictory. First of all there is the code of the winking, chuckling fraternity of J.P. Donleavy naughty fellas, the motto of which is "Boys will be boys." Secondly, there is the fastidious gentlemen's code that holds that the private lives of politicians should be off limits, that what counts are the serious matters, such as a man's position on issues, and that only a very sleazy and trivial reporter would lower himself to write about that sort of dirt. And third, there is the tacit agreement among the sophisticated people of the press to protect the great mass of unsophisticated voters whose simple lives and naive, puritanical beliefs would render them incapable of treating such information properly. They would be excessively shocked, they would overreact, and the political process would be distorted by irrelevancies.

Things have changed slightly in recent years. Jack Kennedy's philandering was known to members of the press, but carefully kept secret by them. It was passed on to the public only as an aura of dashing charisma. In contrast, the philandering of his brother Edward seems to have been quietly taken for granted as a matter of indifference. Even Kennedy himself hardly bothers to deny it, and the press, while refraining from directly addressing the subject (except for Chappaquiddick), doesn't suppress it either. The press just treats it in a way that assumes it is so and at the same time implies that it is of no importance. This new, half-hearted discretion is, I would guess, partly the result of confusion brought about by the collision of two opposed systems of values: the old codes, weakened but still inhibiting, and the new permissiveness of the 1960s and 1970s, which includes a "non-judgmental" attitude toward the sex lives of others.

Of the three reasons for journalistic restraint in such matters, protection of privacy is the only valid principle. But it is a powerful one. The private life of

Suzannah Lessard is a staff writer for the New Yorker *and a contributing editor of* The Washington Monthly.

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any person should not be exposed against his or her will except for the most compelling reasons. I do not think that the voters need to be shielded by the press from information that they may interpret in a way the press disapproves of, but in the case of a typical legislator I would not write about his private life because I believe that his entitlement to privacy outweighs the need to know.

But the case of a presidential candidate is an altogether different matter. First, as is now widely accepted, the character of a president has enormous significance because of his great personal power and the sensitive ways in which he can use it. Secondly, a presidential candidate is asking for a much greater mandate from the citizenry, and so he must tolerate a much greater sacrifice of his privacy. Therefore I believe that despite our distaste for going into this sort of thing, our reluctance to judge others, and the importance of the principle of privacy, Ted Kennedy's reputation as a philanderer should be publicly discussed as a legitimate issue in the campaign.

A Pattern of Dalliance

All this presupposes, of course, that philandering is a pathological type of behavior. Here, I think, the age of the person and the style of philandering are important. Within the world of politics and journalism, Kennedy's womanizing is widely known—to the many women who have been approached themselves, for example, and to reporters and others who have been around Kennedy and have seen the pattern in action. While I was talking to people for this article, it seemed as if almost everybody in that world had another anecdote to offer. There is a pattern to these anecdotes. The type of womanizing that Kennedy is associated with is a series of short involvements—if they can be called that—after which he drops the lady. Sometimes he hasn't even met the woman previously. She has been picked out by one of his cohorts as the type of woman who appeals to him, and asked if she would like to have a "date" with the senator. The idea evidently is lunch and a dalliance, over and out, on with the pressing schedule. The picture does not exclude longer relationships, but the short-term pattern evidently is a deep part of Kennedy's nature, as well as an image that Kennedy seems in some way to enjoy, as though he believes that it adds to his attractiveness. In the eyes of some, perhaps it does.

To me, however, it is a far from attractive image. It is, at best, a sad and dreary one. If a boy of 20 were observed skipping compulsively from girl to girl, one would merely assume that there was something unresolved in his attitude toward women and that he would soon grow out of it and learn to develop more stable relationships. But if a man of middle age acts in this way, and over a long period of time, over decades, then the behavior becomes quite unsettling. What it suggests is a severe case of arrested development, a kind of narcissistic intemperance, a huge, babyish ego that must constantly be fed. It suggests: if he is immature in this area, mightn't he be in others? It bothers me because I associate this type of behavior with misogyny. I don't believe men who really like women carry on in this way. Certainly it suggests an old-fashioned, male chauvinist, exploitative view of women as primarily objects of pleasure. It gives me the creeps: the constant pursuit (although the image is almost passive, in a way) of semi-covert, just barely personal and ultimately discardable encounters is a creepy way to act.

And whatever else it is, the compulsion is self-destructive because of the element of headstrong foolhardiness illustrated by the Chappaquiddick incident. Finally, success in this kind of activity must depend a lot of the time upon a sense of inadequacy in the women involved—a desire to upgrade themselves by association with a powerful male. So there are two pathologies here, each feeding on the other. The result for many of the women must be a sense of further

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degradation. Kennedy must know that many of these women sleep with him only because he is "Kennedy." He ought to be aware of how degrading this is to him. What is it in a man that would want to regularly bring this about?

Private Lives, Public Deception

As with many of the things that can be wrong with human beings, if a person who behaved this way were a banker, or a musician, or a building contractor, one would merely wonder about the causes, perhaps feel sorry for him, and, if there were other good things about him, try to overlook the aberration and appreciate the rest. But when the strong possibility arises that such a man might become president, then this trait suddenly becomes an important, unavoidable aspect of one's estimation of him. It is not a reason to reject him out-of-hand. He may have enough to offer that one decides that it is worth the risk. Or one might decide that the alternative candidates are, for various reasons, worse risks. But, it seems to me, one must take it into account. It seems to me a ridiculous sort of respectability to say that it is beneath one's dignity to take such a thing into account. It seems to me a very thoughtless sort of open-mindedness to claim that only a prejudiced person would take it into account.

If the subject of Kennedy's philandering gains widespread attention, there are a lot of voters who will be concerned from a moral point of view. They will be bothered because such behavior is adultery. I have sidestepped the moral aspect of the issue because for me it depends on whatever understanding Kennedy has reached with his wife, and we don't know anything about that. We know that Joan Kennedy has been troubled, but there are many reasons why a person becomes troubled. The intricacies of a relationship between a man and a woman can be so subtle that only the couple themselves could hope to understand them. But if there are people who take a less reserved view than I, or a less tolerant one, if there are voters for whom adultery is sin, period, they have as much of a right to react as I do. I don't think I should refrain from broaching the issue from my own point of view just because others are likely to take the sort of stern, rigid moral point of view that I happen to disagree with.

There is another issue here, one of deception. Privacy is important, but usually when reporters shield certain aspects of a politician's private life from the public they are protecting not his privacy but his hypocrisy. Few politicians object to published descriptions, however intimate, of their regular family life. The Kennedys, of course, have made great political capital out of precisely this sort of intrusion into their private lives. A politician may reach a sophisticated understanding with his wife, but he never attempts to do so with the voters. Instead, he contrives—with the cooperation of the press—to *mislead* voters on a matter that might affect the way they vote. As with the problem of immaturity, a politician's willingness to deceive in this matter does not encourage one about his honesty in others.

Power and Machismo

The variety of possible reactions to the issue of Kennedy's philandering—when and if it becomes an issue—is as great as the range of personal values; and that range, we all know, is, at this point in history, enormous. Feminists are no exception. I was interested in the reactions of feminists because this type of behavior is so classically degrading to women, because it points to the nexus of power and machismo that feminists usually pounce upon, and because, at the very least, it suggests there will be no women in positions of true power in a Kennedy administration. I don't believe that this type of behavior comports with the respect necessary to work comfortably and constructively with a woman in other than a vastly subordinate or very

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distant position. I quickly found out, however, that feminists are just as disparate in their attitudes toward what looks to me like stereotypically sexist behavior as is the public at large. My question, in a small, informal, survey, was this: "What effect, if any, does Edward Kennedy's reputation as a philanderer have upon your estimation of him as a presidential candidate?" The only common factors in the answers were, first, that most of my interviewees hadn't thought about the issue clearly (they were, in other words, thinking on their feet); and, second, that I had thrown them a hot potato, a question that had to be answered very cautiously and, in most cases, anonymously (with the result that I made the whole survey anonymous). Otherwise, the answers I got covered the full range of possibilities. Some women said things like: "His reputation doesn't bother me at all. If Kennedy likes sex that's fine with me. I don't care what kind it is or how he goes about it." Others said the opposite: "It bothers me a great deal. It cannot be neglected. It suggests that he has no regard for women and that the only reason he will act on our behalf is if it is politically expedient."

Bible Belt vs. New York

I found the wariness that underlay all the answers very understandable, for I feel it myself. Using my own feeling as a guide, I suspect it derives from an inhibition against making a judgment that smacks either of moral righteousness or moral turpitude. In the Bible Belt, it would take courage to say that philandering is of no importance. But in New York the danger lies in saying that it matters. Whichever stand one takes, a public statement lies prey to attack from one flank or the other. Those who thought that the issue was important also seemed to hold back out of the time-honored feeling that it is unfair, or indecent, or tawdry, or inflammatory to raise such a matter in the political realm. From some—they were all professionals—I even got the feeling that they didn't want to jeopardize their hard-won status as "one of the boys." To do so by openly declaring that the philandering issue bothered them would make them look foolish; it would make them look like silly, unworldly, women.

Those who thought the question of philandering is irrelevant tended to be women who were deeply involved in the political aspects of the feminist cause. For them the important matter was getting feminist positions into the party platform, or getting the ERA passed, and so forth. They felt that in judging a politician, they should look at his record on feminist issues. Kennedy's record, from a feminist point of view, is quite good. The attitude of most "politically minded feminists" I talked to was that they could not afford to consider such subtleties as what Kennedy's personal habits may reflect about the depth of his commitment to women's rights. As they pointed out, no one in the presidential line-up could be described as passionately committed to the feminist cause.

Those who thought the issue was significant tended to be involved in the philosophical side of feminism. To represent this group, I will record one comment that captured many facets of the general reaction: "It makes me very wary," said a woman who is a well-known writer on feminist issues. "The fact that it has been overlooked must be a sign of how much we want to believe in him. It's the *sort* of philandering that concerns me: if they were long, deeply involved affairs, I would react differently. This sort suggests that he does not respect women. It suggests that he is immature. I have figured one thing out. I've figured out that I don't think Carter is so terrible. After all, he didn't bomb Nicaragua, if you know what I mean. I recently had dinner with some big Harvard types, and they were raving about what a great guy Kennedy is. I just sat there. I couldn't get up the nerve to say that I didn't like him because he screwed around. But now that you bring it up, I think my decision about Carter was

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made on just this point." This interview was atypical in the clear decision against Kennedy and for Carter. Most others in this group said that while philandering was definitely a minus, they were considering supporting Kennedy in view of his assets, and in view of the competition. Fear of damaging a candidate who might on balance be the one they favored was a big factor in the reluctance to come out publicly and strongly about their distaste for Kennedy's sexual reputation.

At this point there is no way of telling whether the matter of Kennedy's philandering will turn into an issue with a specifically feminist cast, because so few feminists have thought it through yet. I wonder, however, if many women won't follow the last train of thought recorded above when they *do* get down to thinking about it. Like just about every other group that is left of center, feminists have, in this first flush of the campaign, a strong attraction to the idea of a Kennedy presidency. But there is an impulsiveness in that reaction that cannot be sustained throughout the long campaign. It's an impulsiveness that has as much to do with frustration and disappointment with Carter as it does with Kennedy's appeal. This impulsiveness has a very thoughtless, escapist side to it, an element of attraction to what is glittering and glamorous, what is showy, to something that is surrounded with pleasant, vague memories and the magical possibility that the past can be recaptured.

Kennedy's philandering is a latent issue right now, something that lies beneath the surface of people's minds. But I believe that when the hard thinking starts, it will come to the surface, because the inhibitions against considering it belong to codes that are on the wane, while the reasons for considering it are compelling. Things *have* changed since Jack Kennedy's day. People have thought a lot about attitudes toward women and their implications and people have thought about character and power. How critical the issue will become is another matter altogether. If it does become a big issue, it certainly won't be because of its feminist significance alone. The feminist vote is not very large, and very few feminists vote strictly according to feminist concerns, particularly subtle concerns like this one.

The Larger Doubt

If Ted Kennedy's philandering becomes a political issue, my guess is that it will be because of the way it connects to a larger package of doubt. Right now, along with impulsive attraction, latent doubt seems to be a major characteristic of the public attitude toward Kennedy—latent doubt surrounded by a thick hazy glare of hope. How strange it is that despite all that has been written about this man, and despite all of his exposure to the public eye, he is still so unclear to so many of us. Could that be because he actually is a rather unclear, unformed person? This is the aspect of the philandering that concerns me the most—the immaturity of it.

For years we have been close to certain that one day Edward Kennedy would run for president. But as long as this was just a possibility, there has been a kind of abeyance of judgment. We have maintained a blurriness of our own, within which we have kept alive the possibility that the great aborted promise of John and Robert Kennedy will some day be realized fully. It is as though, despite all our scrutiny of Edward Kennedy on one level, on another we've averted our eyes, saving our hope, putting off the moment of judgment, saying to ourselves: when he runs for president, then we'll see, then we'll take a really close look. Well, now he is actually running for president, and though this is hardly a surpise, the actuality has a very different feeling from the prospect. As the abstract haze of hope begins to thin in the atmosphere of a concrete candidacy, we find ourselves squinting at the particular human being inside that haze. Who is he? ■

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Memo of the Month

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, D C 20523

ASSISTANT
ADMINISTRATOR

OCT 23 1979

Mr. Ray Kline
Deputy Administrator
General Services Administration
18th and F Streets, N.W.
Washington, D.C. 20405

Dear Mr. Kline:

The Agency For International Development has encountered a problem of some proportion which I bring directly to your attention as it will soon obtain in all Executive agencies and doubtless generate costs and embarrassment for the Government if not avoided.

We have found that the new, larger (8½" x 11") standard stationery prescribed by the Joint Congressional Committee on Printing which GSA is stocking for Government-wide use beginning January 1, 1980 is too large to fit the stationery drawers of many standard GSA desks. We discovered that earlier this month when we printed new letterhead necessitated by a recent reorganization, and converted to the larger stationery at the same time to avoid costs of a second conversion three months later.

We have found no single, easy solution of the problem but, rather, have been improvising -- exchanging desks for others in stock, providing desk-top holders and employing other costly devices.

Perhaps the Federal Supply Service can with this advance note of the general problem find some central way to avoid it for the Government as a whole.

Sincerely,

D. G. MacDonald
Bureau for Program and
Management Services

cc: Mr. Boulay, GSA

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Amtrak can meet a time table—when it wants to kill a train.

Death of the *Hiawatha*

by Phil Primack

The railroad station at Billings is old, clean, wooden, and deathly quiet, except when the long coal trains roll past along Montana Avenue. We had a passenger train that used to come through Billings on the run between Chicago and Seattle. They called it the *North Coast Hiawatha*. It's dead now, been dead since October—the victim of a head-on collision with a thundering herd of numbers, statistics cooked up at Amtrak headquarters in Washington to justify killing off some trains.

Phil Primack is a freelance reporter who lives in Billings, Montana.

Those are the sounds of railroading today: the rumbling numbers, the screech of little minds.

Amtrak does most things slowly or not at all. You could go from puberty to Social Security waiting for a phone reservation line. The trains run late. Through the hot dusty summers the air conditioning lies silent, kicking in only when snow starts to fall. Sometimes they run the trains without food, sometimes without heat. Every rider has tales to tell of adversities encountered, obstacles overcome.

But it should not be inferred that Amtrak is incapable of swift, decisive

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action. When it comes to killing off trains, Amtrak can move with the precision and confidence of a samurai. Citizens and congressmen who tried to save several doomed long-distance trains this year found themselves hopelessly handicapped; Amtrak had the numbers, Amtrak had the criteria, and if the criteria didn't support Amtrak, the criteria could be changed or ignored. When, in desperation, the citizens and congressmen went to the courts, Amtrak lawyers outmaneuvered them repeatedly, even rousing the Chief Justice of the United States on a weekend to help dispatch the trains to oblivion.

We are speaking now of a nation encumbered by a rapidly deteriorating fuel supply. We are speaking of the most fuel-efficient form of transportation, the steel wheel on the steel rail, and of a network of wheels and rails already in place across the continent. We are speaking of the summer of 1979. Listen to the President of the United States as he steps off an Amtrak train in Baltimore, having taken a 37-mile ride from Washington. Hear him say: "Trains represent the future and not the past in American transportation. I recommend this type of trip to every American."

Having made that recommendation, President Carter continued to support legislation in Congress that would cut Amtrak's schedules by 43 per cent, and in the middle of the gas shortage the White House even went so far as to cancel Amtrak's advertising plans. Months later, when the political skirmishing ended, the routes had been cut by 20 per cent, and the *Hiawatha* was gone.

Ready to Ride

Essentially, the problem in early 1979 seemed to be this: Amtrak either had to lobby aggressively for heavy additional subsidies with which to overhaul and upgrade its extraordinarily decrepit collection of passenger cars, or it had to eliminate trains wherever possible in order to shift the best of its cars to a more concentrated collection of routes. Train opponents like Senator Russell Long held out a carrot to Amtrak president Alan Boyd: Congress would, for the first time, appropriate funds to Amtrak for three years, thus permitting relatively long-range planning (and fewer humiliating trips to the Hill to explain what happened to last year's millions), but the price was that Amtrak must cut the losers.

"When we started out [in 1971] we were losing about $40 million a year in operating subsidies for Amtrak, $40 million a year when they sold us this turkey. Now it's losing $600 million a year and scheduled to go to $1 billion," Long said, and he wanted no part of that. As chairman of the Senate Commerce Subcommittee on Surface Transportation, his words reverberated through the corridors at Amtrak and the Department of Transportation, and the small minds there listened closely. Busily cosseting Russell Long, the administration developed an Amtrak policy that was, as someone said, the moral equivalent of indifference.

"Let people vote by buying tickets," Brock Adams, then Secretary of Transportation, said in June, at a time when millions of people were trying to do that but could not get through the Amtrak switchboards. Even so, said Adams, "I don't want anybody to feel that by doing this, there's going to be a train available for everybody." Waiting on hold, waiting on the platforms, we just laughed at that in Montana. That Brock. He's a sketch.

In the very early days of Amtrak, when it was widely believed that the preservation of trains at taxpayer expense was some sort of socialist folly, people like Long and Adams would have found many allies in the West. But by 1979, the situation had changed so much that even in territories where distances are vast and big cars are sacred, people were ready to ride the trains. Washington was not ready to listen.

The White House, in fact, put out the word that the President would

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seriously consider vetoing any legislation which failed to make the proposed cuts. No matter how critical the energy crisis had become in the West, back in Washington it didn't seem to have displaced the older notion that passenger trains are supposed to make money. Democratic Rep. Pat Williams of Montana traces the problem back to the old palm cards that politicians traditionally passed out to the voters at the polls. "They always promised 'businesslike administration,'" he says. "As a result, you've got folks who still want Amtrak to earn money."

For its part, Amtrak adopted a posture familiar to watchers of Washington: the low profile, accompanied by the shrugged shoulder and the finger of blame pointing somewhere off there. Amtrak president Alan Boyd: "Our guidance is so specific that Amtrak has little or no latitude in determining those trains to be continued, discontinued, or modified. Our task is not one of making decisions between various alternatives, but rather one of strict observance of congressionally-approved provisions." It's not me, Jack. It's them.

Ouija Boards and Frozen Toilets

But it was Amtrak, not Congress, that collected the numbers on passengers using the trains, and it was Amtrak's bookkeepers who decided where to assign the full financial weight of deteriorating equipment and cost-ineffective administration—exercises filled with arcane accounting procedures capable of shifting millions of dollars from one region to another. From these exercises, criteria were developed. Trains that could demonstrate that they were meeting the criteria of 150 passenger-miles per train-mile (PM/TM) and an "avoidable loss per mile" of seven cents or less would be spared. Others might not.

The decision-making process was subject to a range of variables, all baffling. In a system chronically plagued by equipment failure, busy signals, delays, and the absence of advertising, it was a self-fulfilling prophecy that ridership statistics would seem low. And a decision to equip a long-distance multiple-stop train with only, say, 220 seats guaranteed that the train would never meet the 150 PM/TM criterion; a bloc of seats sold to passengers traveling from A to C would cause the computers to show the train full at B, and people trying to get from B to D would be told that no seats were available. Then the number-crunchers in Washington would report to Congress that nobody at B or D wanted to ride their trains. And so on. You have to try to understand.

A train might survive or die for reasons unrelated to numbers. A famous example is the *Cardinal,* which runs from Washington to Chicago by way of a circuitous mountain route through Charleston, West Virginia. There is no way to massage the *Cardinal*'s numbers enough to meet the criteria for survival. Even in mid-May, when the gas station lines were at their longest, the *Cardinal* never logged more than 95.2 PM/TM and never got its "avoidable loss" below 13.5 cents per mile. Yet it survived, because Senate Majority Leader Robert Byrd, of West Virginia, decreed that it should.

Williams of Montana, through whose district the now-defunct *North Coast Hiawatha* rolled three times a week, cannot match the political weight of a Robert Byrd or a Russell Long. "We had a lot of facts coming in from constituents and Amtrak employees," he says. "We would take that information to Amtrak. We would ask them if and how they took local reports into consideration. Well, it seems they didn't. They would simply shrug off the passenger data so carefully compiled by their own employees out on the rails. They said they did things differently in Washington. They had their own formulas, they said. But they would never show us their Ouija board."

The National Association of Railroad Passengers (NARP) came up with data showing that trains like the

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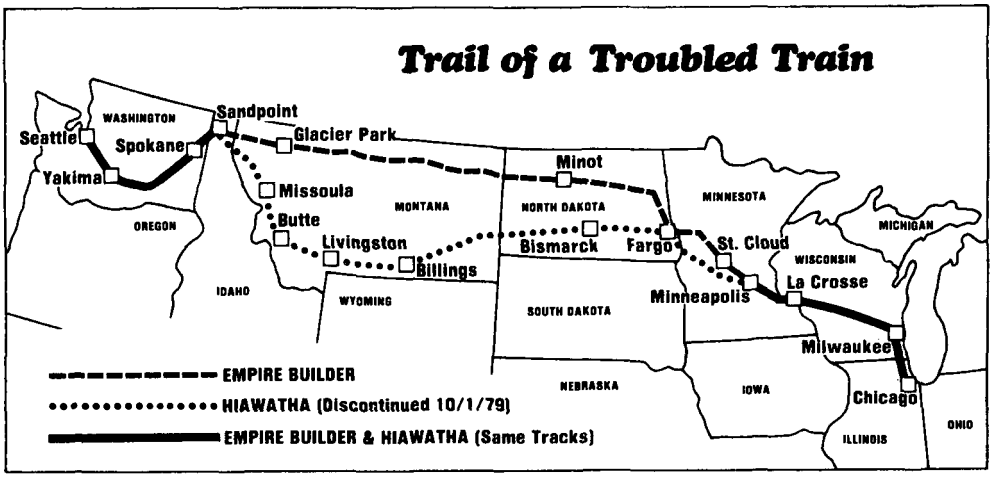

Hear the whistle blow—*for the last time. Just as gas-starved Montanans were rediscovering trains, Amtrak discontinued the* North Coast Hiawatha.

Hiawatha and the doomed *National Limited* (New York-Philadelphia-Pittsburgh-Columbus-Dayton-Indianapolis-St. Louis-Kansas City) were coming close to meeting even Amtrak's criteria. Amtrak's own numbers—released only in slow dribbles without the usual explanatory press releases—showed the *Hiawatha* at 140 PM/TM and 7.9 cents "avoidable loss" for fiscal 1978.

This was remarkable, considering the circumstances under which the *Hiawatha* and its crews struggled to function. Amtrak didn't advertise it. People had to call from station to station—long-distance toll calls—trying to find a line open, just to obtain information about the train's timetable. Since it was rarely on time, an element of roulette was involved in trying to catch it. Aboard, the dome observation car windows were opaque with scratches, and the riders endured smothering heat or paralyzing cold.

"It seemed to me like Amtrak was trying to drive people away from this train," says Don Sandman, who was the traveling electrician on the Montana leg of the *Hiawatha*'s run. A rail worker for more than 30 years, he had been with Amtrak for the past six.

"Whatever they say, we—the crew—cared about that train," Sandman says, "and we believed that if we ever had just one six-month period with new equipment and daily service, we'd probably never have an empty seat after that."

Thinking back, he is amazed at how much people wanted to be on the *Hiawatha,* even under the most dubious conditions. "I have actually had to get out on the platform at a station to announce that a coach was over 100 degrees and I couldn't fix it. And they would still fight to get on."

One time the train was running nine hours late, westbound from Chicago, on a subzero night. "I went to the platform in Billings and told people that just about every toilet was frozen solid. They *still* got on—and a lot of them were elderly people. Just imagine what our ridership figures would have looked like with thawed toilets."

Despite Amtrak's sophistication with computers, Sandman says the railroad routinely couldn't manage to put enough food on board the *Hiawatha* to serve its passengers. One Sunday the situation was so bad that he radio-telephoned his wife and she drove the family pick-up truck to the Livingston station with $100 worth of groceries.

"It's not just that that's no way to run a railroad, it was personally embarrassing to us," Keith McIntyre says. He was a brakeman on the *Hiawatha.* With Sandman and others on the crew, he periodically offered suggestions to the Amtrak hierarchy—suggestions that disappeared without a trace.

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"The big problem is that board of directors," McIntyre argues. "Hey, if we had a law that said they actually had to get off their butts in Washington and ride their trains—actually get on board, go by train instead of limousines and jets—they'd see we know what we're talking about."

Mutterings like these are normal among workers in any organization, of course. But the *Hiawatha* crew cared enough to draw on its personal experience and common sense and come up with a compromise plan early in 1979 that could have saved the train.

At that time, Amtrak in Washington was rationalizing cutting off the *Hiawatha* on the grounds that about a third of its route was redundant, in the sense that it was also covered, four times a week, by the Chicago-Seattle *Empire Builder*. The problem with this argument was that would-be riders along the remaining two thirds of the *Hiawatha*'s route would have to drive anywhere from 100 to 300 miles just to catch the train. The *Empire Builder* takes a highly scenic but sparsely populated route across northernmost North Dakota and Montana; the *Hiawatha*'s route served the population centers.

Sandman and McIntyre and some other *Hiawatha* crew members proposed running a small train along the northern route between Fargo and Spokane. "It would be two Amfleet passenger cars, an Amfleet lounge car, and one locomotive, and it would meet up with the main-line train at each end," Sandman says. "It would require only a small crew, maintenance costs would be low, and there are service facilities along that route." Working without benefit of Washington's computers, the crew figured that routing the main train through the population centers would be a better way to lure passengers than running it past a lot of bears and lumberjacks.

Sandman went to Gary Erford with the idea. Erford is Amtrak's manager of on-board services in its Seattle regional office. He says he liked the idea. "I'm for running more trains," he says, "and I think the people in Montana and the Dakotas have just as much right to train service as people in the Northeast Corridor."

Erford says he passed the idea along to "interested parties," although he is vague about who they might have been. It appears likely that he got in touch with somebody in Congress, rather than with the Amtrak board. Erford and other regional Amtrak officials do not speak critically of the Washington hierarchy, at least not openly; but when people sigh heavily and roll their eyes toward the ceiling, you get the picture.

Wherever Sandman's suggestion went, nothing came back. When Amtrak's board met in August to determine which trains to kill, the *Hiawatha* was on the hit list, along with four other long-distance trains; other trains in Amtrak's 21-train long-distance fleet that had failed to meet the PM/TM-avoidable loss "criteria" survived by virtue of political influence.

The cuts were to take effect on October 1, barring action by Congress to the contrary. A lobbying effort organized by NARP and an ad-hoc coalition of labor unions and consumer groups laid siege to Capitol Hill, but the political momentum was against them.

"Look around the world and there's not a public transportation system run for profit," Jack Kroll, president of the Brotherhood of Railway and Airline Clerks (BRAC), argued to anyone he could stop in a hallway.

"Amtrak's 1978 subsidy was about $500 million," Kroll points out, "compared to $728 million in Britain, $930 million in France, and $4.1 *billion* in Japan. And the United States is contributing $2.4 billion a year to the World Bank for railroad development in other countries." It seems logical to Kroll that a nation so willing to help others should be at least equally willing to help itself.

But Congress wasn't quite prepared to accept that logic, and the lobbying effort, according to numerous Capitol Hill staff people, came too late and never was as effective as it might have

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been. BRAC is not a wildly popular union, for one thing, and the National Association of Railroad Passengers is widely perceived as an organization with very limited ability to deliver votes to friends or withhold them from enemies. All the same, in the protracted scuffling on the Hill, several key votes were close enough to suggest that a politically influential coalition was beginning to make itself felt.

Lightning Strikes

Against this opposition, Amtrak continued to churn out numbers supporting its case. And it executed other maneuvers that resulted in inflicting additional wounds upon the already battered *Hiawatha*. Ticket agents along the *Hiawatha*'s route claim that Amtrak offices in the East were routing passengers to the *Empire Builder*, to hype its PM/TM figures, and were cutting coaches from the *Hiawatha* even as its ridership steadily increased.

Backers of the *National Limited* ran into similar problems. Democratic Rep. Tony Hall of Dayton says his office was inundated with reports from riders and crews that the train was faring much better than Amtrak wanted to admit.

"In 1975, the last time that Amtrak tried to cut the *Limited*, it was coming into Dayton at one in the morning," Hall's legislative assistant, Dan Richey, recalls. "But in 1977, the schedule was changed—arrival time was 9 a.m., and ridership really began to pick up, even before the gas crisis, and even though Amtrak never advertised in the Dayton area."

Even Amtrak's numbers reflect the increase in actual ridership on the *National Limited*. But there is, obviously, a difference between actual and potential, and it is in this area that Amtrak's critics are most bitter, claiming that uncountable numbers of prospective converts have been lost by ineptitude and sloth, if not by outright refusal to accommodate demand.

The blame for this has to be shared among Amtrak, the White House, and Congress. Even when Amtrak has shown initiative, somebody has rushed in to stifle it. Last June, for example, Amtrak managed to prepare a newspaper ad capitalizing on the gas crisis: "During the Gas Shortage, Our Stations Will Stay Open," the headline read. "Amtrak is more than a fair weather friend," the text continued. "Twice, now, we've seen what happens when we rely on unpredictable sources of oil. A switch in time to comfortable, convenient, and low-cost transportation can keep lightning from striking a third time. . . ."

No sooner had the ad been scheduled in 169 papers across America than lightning struck. It came not from OPEC but from Jimmy Carter. Here was the administration, trying to cut back on train service, and there was Amtrak, trying to drum up new business. This could not be allowed. The White House called Boyd and tried to get the ads killed. Frantic phone calls went out, but only one paper—*The Baltimore Sun*—was reached in time to stop the presses. Elsewhere, Amtrak told an interested public to hop aboard.

Of course, when people actually tried to do that, it was a different story. In documenting this situation, we have the invaluable if unintended cooperation of Amtrak's gnomes at their computer keyboards. For the week of August 13-19, to take a typical example, Amtrak's own computer records reveal that 11,816 people were denied space on the *National Limited*, and 9,095 were rejected on the *North Coast Hiawatha*—an average of more than 1,500 people on every run, more than enough people to meet the PM/TM criteria all by themselves.

Systemwide, Amtrak says that 92,000 would-be riders were turned down in June 1978. In the same month, one year later, the number had jumped approximately 1,000 per cent, with nearly 1.4 million people turned away from the ticket windows.

That figure needs amplification. Amtrak's "ticket windows," like so many passenger conveniences, are

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mostly part of history. The prospective passenger today approaches Amtrak by telephone. Here again, Amtrak has numbers to numb the spirit: 222,000 people ran into a busy signal in June 1978; but this was as nothing to the busy signals encountered by *six million* hapless callers in June 1979.

Mobile Antiques

Instead of seeing these people as frustrated suitors worth wooing, Amtrak writes them off as summer loves. The corporation claims that after the gas crisis of 1974, roughly 75 per cent of its new riders went back to their automobiles. This, says Amtrak, is proof positive that the same thing will happen again in 1979.

Congress accepted this argument despite its profound absurdity. Amtrak's 1974 riders found themselves aboard "traveling antique museums," as Alan Boyd himself has described Amtrak's rolling stock. They sweated, they froze, they stood in the aisles when trains were overbooked, they endured unpredictable delays, lights that failed by night and toilets that failed around the clock; not surprisingly, they got off when the crisis eased. Instead of preparing for the next shock wave by mounting a vigorous Capitol Hill campaign for the kinds of subsidies necessary to modernize the trains, Amtrak rummaged among its maps and printouts looking for trains to eliminate, leaving the congressional lobbying field to its old and dishonorable opponents, the supporters of highways.

Consequently we still have a situation in which highway trust funds are sacrosanct while congressmen vent their eloquence on the totalitarian perfidy that presumably lies behind federal financing of the railroads. "You'd think trains were the only form of public transportation getting a government subsidy," *Chicago Sun-Times* columnist Mike Royko fumed earlier this year. "Buses travel on highways. Who builds the highways—the tooth fairy?"

What seemed so clear to Royko was lost on Congress. Most of Amtrak's proposed cuts were adopted, after the usual skirmishing and resurrecting of politically indispensable trains. (Robert Byrd single-handedly preserved not one but two of them, saving the Washington-to-Cincinnati *Shenandoah* as well as the *Cardinal.* You will not be surprised to learn that the *Shenandoah*, although it failed dismally to meet Amtrak's criteria—it scored 26 PM/TM and 26 "avoidable loss" cents per mile—also runs across northern West Virginia.) Meanwhile, when the disgruntled riders of 1974 came back for a second try in 1979, the only difference in the Amtrak equipment they encountered was that it was five years older.

On To 1981

Facing the loss of their trains unless they could find a solution by October 1, the would-be riders and some of their congressmen headed for the courts. But here again, Amtrak and Congress had piled boulders on the tracks. In 1974 Congress voted to prohibit anyone except the attorney general from suing Amtrak over route decisions. The Supreme Court has upheld this position. So the advocates of the doomed trains went into court on far-fetched environmental grounds.

No sooner had one court issued a ten-day restraining order against Amtrak than Amtrak responded contemptuously by cutting the affected trains to the minimum possible number of cars and refusing to take *any* reservations. People arrived at stations and found them closed. Timetables ceased to exist. In Washington, Amtrak's lawyers persuaded Supreme Court Justice Byron White to reverse the order.

When Rep. Hall and the city of Dayton filed suit in Washington, they were denied a restraining order. On appeal, however, the order was granted, and it appeared briefly that the *National Limited* might be on its way to a reprieve. Within hours,

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however, Amtrak had managed to scramble Chief Justice Warren Burger out of a weekend and onto the bench, where he promptly overruled the appeals court. The full Supreme Court later upheld Burger's ruling.

Meanwhile, the one person with clear-cut legal standing to sue—Attorney General Benjamin Civiletti—stayed out of the fray. Amtrak could argue, with considerable persuasiveness, that the executions of the trains had been carried out in the presence of several hundred witnesses from Capitol Hill, and that those who were now struggling to get into court had had their chance to organize the votes necessary for a reprieve, and blew it. President Carter's attorney general could hardly be expected to fight to restore trains that President Carter himself had wanted cut—unless, of course, the Amtrak routes ran through enough concentrations of angry voters in key primary-election states.

And therein lies the ultimate lesson to be learned from the Amtrak Fiasco of 1979. Out here in Billings, few people were really surprised by the murder of the *Hiawatha:* "What else," they say, "can you expect from Washington?" And then, having said that, they shuffle sadly back to their cars; and you can picture them, disappearing down a long dusty highway, popping a Coors, ignoring the 55-m.p.h. limit and trying to ignore the fools in Washington who saddled them with that, and then gave them high gas prices and took away their train to boot.

The problem with ignoring Washington, however, is that Washington will strike again. The new Amtrak law (euphemistically named the "Amtrak Reorganization Act of 1979") is a slowly ticking time bomb. The surviving long-distance trains are tied even more tightly to the same garbled "Route and Service Criteria" that mortally wounded the *Hiawatha.* Systemwide, Amtrak's subsidies have been increased, but probably not enough to permit comprehensive upgrading in the face of escalating inflation; thus there is very little doubt that many trains will continue, month in and month out, to fall short of meeting the "criteria," and those that fail will be marked for execution in October 1981.

Based on recent experience, it would be unwise to assume that Amtrak's hierarchy will crusade for *any* train. An aggressive management might reasonably be expected to see the continuing energy crisis as a truly golden opportunity to do things right, for once; this would mean pushing a crash program to overhaul and upgrade equipment,

DAN LYNCH, *Kansas City Star*

followed by a blitz of advertising and travel incentives—reduced fares, for example. With such a program, it could be argued that if ridership of some trains *still* remained low, then the hard numbers in the computers could legitimately be used as the basis for killing or keeping trains.

Amtrak, however, shows no signs of metamorphosing into that kind of management. To the contrary, it has even been using the general increase in gas prices as an excuse to boost fares—just one more sure way to alienate the people who should be its allies.

So Amtrak won't save the trains. Who will? If all the angry would-be train riders of America lie low until the next great energy shock hits, it will not be hard to figure out where to assign much of the blame on the sad day when the last long-distance American passenger train finally rumbles into history. ■

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Who's Who in the Carter Administration

The tragedy of the Carter administration can be summed up in the stories of **Alonzo MacDonald** and **Hamilton Jordan.** MacDonald, the management expert from McKinsey & Co., was hired to give order to a White House in chaos because of Jordan's lack of administrative skill. MacDonald's solution—knocking down walls and rearranging offices and slots on charts—is the classic approach of the management consultant. What it lacks is the passion for achieving goals that would say: "We don't have time to rearrange the furniture, we've got to get on to the real business of stopping inflation, etc."

The irony is that Jordan had just this kind of exciting managerial ability in 1976 when he was running the Carter campaign and understood his goal, which was trying to get votes. The reason he couldn't "manage" in the White House is that he had no understanding of the substance of government, of what his goals should be there....

The list of Carter administration office-holders who have left their posts to join the Kennedy campaign is growing rapidly. Prominent among the ship-jumpers are **Pat Lucey,** former Ambassador to Mexico, and ex-Senator **Dick Clark,** who had briefly coordinated the administration's refugee relief efforts at the State Department. **Phil Bakes** quit as general counsel at the Civil Aeronautics Board and will be Stephen Smith's deputy, while **Joel Perwin,** who was once Associate Counsel and speechwriter for Vice-President Mondale, and **Mark Schneider,** until recently a deputy assistant secretary at the State Department, will work on "issues" for the Massachusetts senator. Schneider will be "in the plane" with Kennedy and speechwriters Carey Parker and Robert Shrum.

In

WHITE HOUSE

Special Middle East Negotiator—**Sol M. Linowitz** is former chairman of the board of Xerox Corp. and was negotiator of the Panama Canal treaties.

Defense Policy Coordinator, National Security Council—**Maj. Gen. Jasper A. Welch Jr.** has been Assistant Air Force Chief of Staff for studies and analysis.

Chairman, Pay Advisory Committee—**John Dunlop,** a former Secretary of Labor, is a professor of economics at Harvard University.

Council on Environmental Quality—**Robert H. Harris** is a scientist with the Environmental Defense Fund.

Chairman, Presidential Advisory Board on Ambassadorial Appointments—**Clark M. Clifford.**

Deputy Assistant to the President on Women's Issues—**Linda Tarr-Whelan** has been an administrator with the New York State Department of Labor.

AGRICULTURE

Assistant Secretary for Governmental and Public Affairs—**James C. Webster** has been director of the congressional and public affairs office of the Agriculture Department since 1977.

Deputy Undersecretary for Commodity Affairs—**Billy Ray Gowdy** is a former Oklahoma state commissioner of agriculture.

COMMERCE

Commissioner for Patents and Trademarks—**Sidney Diamond** replaces **Donald**

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W. Banner, who has resigned. Diamond has been Assistant Commissioner for Trademarks.

Director, Minority Business Development Agency—**Daniel P. Henson III** has been Region 3 (Philadelphia) director for the Small Business Administration.

DEFENSE

General Counsel to the Army—**Sara E. Lister** succeeds Jill Wine Volner.

EDUCATION

Secretary—**Shirley M. Hufstedler** has been a judge on the 9th U.S. Circuit Court of Appeals.

ENERGY

Assistant Secretary for Nuclear Energy—**George W. Cunningham** has been deputy chief of the U.S. mission to the International Atomic Energy Agency.

HEALTH AND WELFARE

Assistant Secretary for Public Affairs—**Billy M. Wise** was an assistant to Patricia Roberts Harris when she was Secretary of HUD.

Director, Office for Civil Rights—**Roma Stewart** has her own private law practice in Washington, D.C., specializing in employment discrimination cases.

INTERIOR

Commissioner of Indian Affairs—**William Hallett** has been assistant regional administrator of the Office of Indian Progress in Denver.

JUSTICE

Deputy Attorney General—**Charles B. Renfrew** has been a Federal District Judge in San Francisco.

LABOR

Undersecretary of Labor—**John N. Gentry** has been labor-management relations

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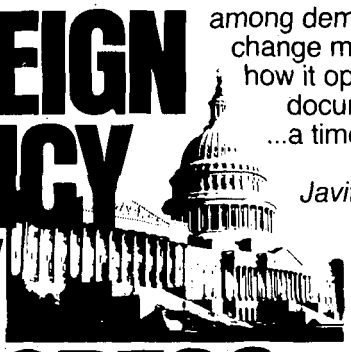

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advisor to Council on Wage and Price Stability Chairman Alfred E. Kahn.

STATE

Deputy Special Trade Representatives for Trade Negotiations—**Robert Hormats** has been senior deputy assistant secretary of State for economic and business affairs. **Michael B. Smith** is a career Foreign Service officer and has been chief negotiator for textile matters since 1975.

Assistant Secretary for Inter-American Affairs—**William G. Bowdler**, director of the Bureau of Intelligence and Research at the State Department since 1978, is a former ambassador to El Salvador, Guatemala, and South Africa.

Ambassador to the Soviet Union—**Thomas Watson** is the retired chairman of IBM.

Ambassador to Norway—**Sidney Rand** has been president of St. Olaf College since 1963. He will replace **Louis Lerner** who is resigning to take a post with the Carter presidential campaign committee.

Ambassador to Burma—**Patricia M. Byrne** has been Ambassador to Mali.

Ambassador to Zaire—**Robert B. Oakley** has been deputy assistant secretary of state for East Asian and Pacific affairs since 1977.

Ambassador to Mali—**Anne Forrester Halloway** has been an aide to Andrew Young, serving as the director of his office at the United Nations.

AGENCIES AND COMMISSIONS

Consumer Product Safety Commission
Executive Director—**Richard A. Gross** has been chief of the consumer protection division of the Massachusetts attorney general's office.

Federal Trade Commission
Deputy Director of the Bureau of Competition—**E. Perry Johnson** has been an assistant to FTC Chairman Michael Pertschuk. Johnson will replace **Daniel C. Schwartz**, who will become general counsel of the National Security Agency.

Interstate Commerce Commission
Chairman—**Darius W. Gaskins Jr.** has been a Commissioner since July of this year.

Out

White House

Special Middle East Negotiator—**Robert S. Strauss** will become chairman of the Carter presidential campaign.

Deputy to the Chief of Staff—**Leslie C. Francis** will become staff director of the Carter-Mondale Presidential Committee.

Assistant Director for Energy and Natural Resources of the White House Domestic Policy Staff—**Katherine Fletcher** is leaving the White House and has announced no plans.

Energy

Director of the Office of Policy Coordination—**Richard K. Smith** has resigned.

Health and Welfare
Director, Office for Civil Rights—**David Tatel** has resigned to join the Washington law firm of Hogan & Hartson.

State
Ambassador to Mexico—**Patrick J. Lucey** has resigned to work in the Kennedy campaign.

Ambassador at Large and Coordinator for Refugee Affairs—**Dick Clark** has also resigned to work for Kennedy.

Agencies and Commissions

FDA
Chief Counsel—**Richard M. Cooper** will return to private law practice.

Federal Home Loan Bank Board
Member—**Anita Miller** has resigned.

Nuclear Regulatory Commission
Operations Director—**Lee V. Gossick** has held that post since the NRC was formed in 1975.

Securities and Exchange Commission
Director, Market Regulation Division—**Andrew M. Klein** will join the Chicago law firm of Schiff, Hardin & Waite.

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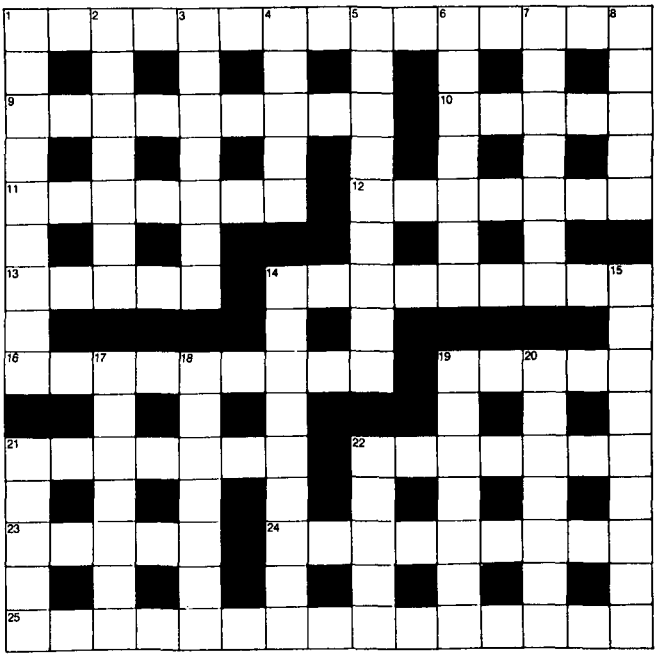
the political puzzle

by John Barclay



The numbers indicate the number of letters and words, e.g., (2,3) means a two-letter word followed by a three-letter word. Groups of letters, e.g., USA, are treated as one word.

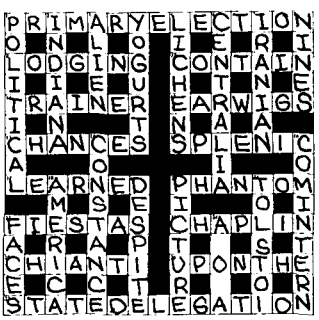
Across

1 President's concern about White House staff social life? (8, 7)
9 Somehow Maine's not the state. (9)
10 Take everything back to share. (5)
11 Benevolence without it is cautious. (7)
12 Man gone to make a name for himself. (7)
13 Raves about states. (5)
14 Detail incorporated in a way shows no change. (9)
16 One of Andy's partisan's? (9)
19 Bird found by the turbulent Rhone. (5)
21 Art rite managed to look worse. (7)
22 Point me in the right direction for seasoning. (7)
23 Fetch the second circle? (5)
24 Soul cheer could be quite lascivious. (9)
25 President's concern about Pirates' infield for example? (8,7)

Down

1 The United States is a crazy car comedy. (9)
2 Clearly not a Dole man! (7)
3 A kind of specialities missing five. (7)
4 Roy in trouble is the odd part. (5)
5 Completely unprofessional! (2,7)
6 Angelic reassurance. (4,3)
7 Mohammedan claim is conferred. (7)
8 Fabric with diffused stain. (5)
14 Place in lit area among other things. (5,4)
15 Delicious lobster found around Gusto Lane. (9)
17 Straighten out! Shape up! Tut wins! (7)
18 Togo gin mix indicates future action. (5,2)
19 The boss in a film she directed. (7)
20 Shabby review? (7)
21 Former Israeli leader second in the rain. (5)
22 Decapitate halfback who led. (5)

Answers to last month's puzzle:



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You'll Get Me Out of My Car When You Pry My Cold Dead Foot from the Accelerator.

by Robert M. Kaus

I arrived at college in 1969, just as the student left peaked and the antiwar movement began to break up into contending factions and causes. I forget the names of half these sects, but one of the largest, I remember, was the Progressive Labor Party—or PL, as we called them. With their perma-press work shirts and short haircuts, their rigid parroting of the party's slogans ("Build a Worker-Student Alliance," "Let the Bosses Take the Losses") and their opposition to drugs and sexual promiscuity ("anti-working class") they seemed like hopeless drones and prudes to the rest of us. PL's leaflets and actions were based on the doctrinal premise that a capitalist economy could never afford workers a decent level of material well-being—a venerable dogma that all but the least New of the other New Leftists realized was in need of some reworking.

I first guessed PL was in trouble when I was walking near campus and saw one of its most prominent members, a militant if somewhat bookish philosophy graduate student, pull into a parking space. He was driving, I was surprised to see, a strikingly beautiful, polished red Alfa Romeo coupe—not the vehicle you would choose to help cement a worker-student alliance in the dilapidated neighborhoods across town. As the car's twin exhausts gave a final snort and burbled to a halt, I walked over and struck up a conversation. "I didn't know you had an Alfa," I said admiringly. "I just bought it," admitted the cadre with an irrepressible hint of satisfaction on his face. Then, glancing around furtively, he leaned over the bucket seat on the passenger's side and blurted, in a conspiratorial half-whisper, "You know, it goes like the wind."

I don't know where this PL philosopher is today. Probably down the street at Covington and Burling, if he's followed the path of some of his former comrades. But wherever he is, I bet he's still a little reluctant to brag about his Alfa. While the idea of making money has enjoyed a substantial revival among the leftish members of my college generation, the idea of enjoying cars is still a no-no. John Z. DeLorean, the quotable former General Motors executive, probably thought he was exaggerating the repressed quality of automotive desire when he said ten years ago that "buying a Pontiac is for

Robert M. Kaus is an editor of The Washington Monthly.

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most guys like thinking about making his neighbor's wife. He probably won't do it, but he thinks about it a lot." Today, my guess is that most of my friends would far more easily admit to wooing their neighbors than lusting after a Pontiac.

Even if we have a little lust for cars in our hearts, the current etiquette demands that we hide it in public. For good reason, there's a lot of pressure these days to talk about cars like an urban planner, lamenting the "social costs" of the automobile, comparing its gasoline use per-passenger-mile with other "modes" of travel, reacting to the latest estimates on how many quads of energy will be saved by the year 2000 if every car on the road carries .3 extra passengers. In this sober atmosphere, the purpose of cars seems as self-evident as the purpose of toasters. Cars are transportation. And "the essential purpose of transportation," as urban planner Lewis Mumford laid it down in his influential 1953 essay *The Highway and the City*, is "to bring people or goods to places where they are needed, and to concentrate the greatest variety of goods and people within a limited area, in order to widen the possibility of choice without making it necessary to travel."

But when we—and this is still the leftish, *Mother Jones* and Marimekko "we"—when we look out on the world, it's clear that Mumford's ideal is not being well-served. Cars, in many of their applications, are obviously not the most efficient means of bringing "people or goods to places where they are needed." Yet all those people are still out there driving. It all seems so senseless, their "love affair with the automobile." The implication is that this affair, like most, has a strong element of irrationality to it—and maybe, since it is a romance between man and inanimate object, a touch of perversion. Americans, of course, have carried this perversion to its greatest excess; we would agree with Mumford when he writes: "The American has sacrificed his life as a whole to the motorcar, like someone who, demented with passion, wrecks his home in order to lavish his income on a capricious mistress who promises delights he can only occasionally enjoy."

Faced with these "infantile fantasies" (as Mumford called them) that drive adults out onto the highways, we can only assume that our citizens will eventually come to their senses and see their cars for the mundane, wasteful transportation devices they really are. This prospect is the flip side of the urban-planners' view of the driving public. For Mumford, it held out the hope of overcoming "the irrational drives that are now at work." It was never clear, though, just what would pull the scales from the eyes of the American motorist, so inexplicable was his pattern of behavior. Maybe bigger traffic jams would do the trick, or filthy air—or, surely, sharp increases in the price of gas.

Ironically, Mumford's view seems to be shared today not only on the left, and in government, among the planners, but in Detroit, by the makers of the "insolent chariots" themselves. It's not that odd, when you think about it. After all, hadn't the auto makers made their billions by carefully nurturing whatever infantile fantasies they could direct toward their products—playing the auto-as-mistress angle for all it was worth? They may secretly have wondered whether the public would wise up and ask for plain old transportation—wasn't that what the imports were all about?—although Detroit, in contrast to Mumford, found this prospect frightening rather than cheering. Nevertheless, if you read the auto industry press these days, you'll find a lot of talk about designing cars for what is called the "New Values" buyer who wants basic, efficient transportation rather than an outlet for his libido—a striking new form of consumer behavior that *Advertising Age* has dubbed "rational purchasing."

There is one problem with this fashionable "rational" view of cars, I think. It is wrong. It's wrong whether it comes from the pen of Lewis Mumford or the lips of Lee Iacocca. It's wrong because, in large part, people do not

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drive cars as transportation devices to get themselves and their goods to where they are needed. Rather—let's admit it—cars are a way we enjoy ourselves immensely while we *pretend* to be simply transporting people or goods to where they are needed.

Because it is wrong, the dominant view of cars is troublesome—even dangerous. If the subject were another consumer item, like waterbeds or crockpots, that statement would be absurd. But cars are something else. One out of every five Americans, producing about a quarter of our GNP, is hooked in with the auto industry in one way or another. Cars consume about one-sixth of our energy and a third of our petroleum, at a time when we are supposed to be committed, as a nation, to cutting back our dependence on oil—and autos.

But as long as we repress the illicit pleasure of driving, and let the puritanic planners' view become the unquestioned public wisdom, we will be asking for trouble. For Detroit, the trouble will quite likely be a continued failure to come to grips with the appeal of imported cars, with the consequent loss of billions of dollars and millions of jobs. For the nation, the danger will be the persistent temptation to believe that, if only gas prices go a bit higher, or bus fares a bit lower, motorists will, finally, *come to their senses.*

They won't, of course, because there are perfectly valid reasons for driving that have little to do with transportation. Trying to solve our transportation problems without recognizing, and respecting, those reasons will be a lot like running a population control campaign on the assumption that the only reason people have sex is to make babies.

Mondo Bizzarini

Let me be the first to confess. I love to drive. I grew up in a city where one third of the land surface is given over to paved highways, where, as a result, the air tends to turn a nauseating brown for days on end. My house was a block and a half away from my high school. But after I got a car (yes, on my sixteenth birthday) I drove to class every day. That car now has 150,000 miles on it, and all but 20,000 are mine.

But I would plead innocent to the charge of being a "car nut" in the usual meaning of the phrase. I don't spend weekends on a dolly stretched out under my Porsche—I've never even driven a Porsche—and I haven't the vaguest idea what goes on inside a cross-flow cylinder head. I can't heel-and-toe or double-clutch or do any of those things that people who drive old MG's will tell you are absolutely essential to automotive pleasure.

What I *can* do is read about automobiles. Remember the film *Three Days of the Condor,* in which Robert Redford plays a humdrum CIA researcher who learns about the spy business by reading thousands of cloak-and-dagger potboilers? That's me with cars. For a while, when I was 14, this meant making my mother drive me around to the car dealers every September to pick up the latest sales brochures, and poring over the occasional article on the new models that popped up in *Time* and *Newsweek.* But then I discovered that, if I went down to the drug store, I could buy magazines that were unashamedly and nakedly about cars and nothing but cars. They had pictures and pictures of cars—cars artfully posed in forests, cars racing, cars still on the drawing board, cars with their innards exposed like frogs in the lab. And not just the everyday cars you would see around Los Angeles—Ferraris and Jaguars and the like—but truly exotic cars, cars most people only suspected existed, like the Serenisima, the Iso Rivolta, and the Bizzarini. I had little hope of ever actually driving these cars, I realized—even if there had been a Bizzarini dealer around the corner I couldn't have made the down payment—but that was all right. Just looking at the pictures was enough.

These car magazines, I soon found out, had distinct personalities. There were the hot-rod journals, with names like *Hot Cars* and *Kar Kraft,* which

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tended to show smiling guys with tattoos dismantling the carburetors of large Chevrolets. I passed them by. There was *Motor Trend*, which was a sort of house organ of Detroit, and *Road and Track*, the magazine of the tweed cap and double-clutch set, which looked with disgust on anything American and usually ended its road tests with some sentence like "a pleasant addition to the Austin-Healey line, sure to be favorably considered by aficionados of the marque."

And then there was *Car & Driver*. I didn't know it then, but *Car & Driver* in the mid-60s was going through some kind of golden age of automotive journalism. They did these outrageous things, like testing a $14,000 Ferrari against a $4,000 Pontiac and concluding that—yes!—the Pontiac was the better car, or saying how nice it would be "to split GM, Ford, and Chrysler into about seven or eight totally independent companies." Here was a car-nut magazine, filled with ads—not only GM, Ford and Chrysler ads, but ads for Valvoline and Liquid Wrench and Cragar mag wheels and God knows what else—and they were attacking John Volpe for his plans to build more highways, and calling for emissions controls on racing car engines. The writing was pretty good too—though, again, I didn't know it at the time, and later when I read Tom Wolfe's *Kandy Kolored Tangerine Flake Streamline Baby* I realized (yes!) where a lot of it came from.

Most of all, though, *Car & Driver* attacked Detroit. It wasn't a Nader-type attack—they were always ambivalent about Nader, mad at him for killing the Corvair, calling him "half-charlatan and half-altruist." Safety wasn't their issue; it was the conformity and smugness permeating a domestic industry that insisted on building "wallowing fat-assed cars" when the Europeans and Japanese were establishing a market for smaller, more agile vehicles. (That's why they had liked the Corvair; even if it had a few kinks, it represented one of Detroit's few attempts at innovation.) Remember, this was back in 1964-68, when imported cars were considered a threat because they had managed to capture nine per cent of the market. Over and over, *C&D's* editor, a nasty-looking man named Brock ("The Assassin") Yates, would rail against the "auto moguls" with their "awesomely square, Rotary-Club mentalities," who were "still convinced that a majority of Americans aspire toward the ownership of a Cadillac (or replica thereof) and view their marketing and sales problems in the context of reproducing forgeries of this great upper-middle-class sacred cow." It was about this time, too, that Yates started to get invited to symposia with Herman Kahn and Margaret Mead, and spreads for *Avant Garde* magazine ("Picasso's erotic engravings. . . .") began turning up among the Valvoline ads.

The sixties, it turned out, were also the golden age of hot cars. Those were the days when Ford was dueling Ferrari at Le Mans, Sebring, and the other big race tracks around the world, when a Texan named Carroll Shelby was building the Cobra (a sports car that could go from zero to 100 and back to zero in ten seconds), and when Detroit was stuffing these humongous fire-breathing engines in the fronts of Pontiac GTO's and Dodge Chargers—creating the generation of "muscle cars" that was the American industry's response to the rich youth market. It was during this era that they opened the brand new Santa Monica Freeway in Los Angeles, and instead of having a bunch of politicians standing around to snip the ribbon, they had Carroll Shelby himself, driving a Ford GT-40 with Miss Los Angeles in the passenger seat—zooming the full length of the freeway and bursting through the ribbon at 150 miles-per-hour. That just about summed things up.

A few months later, I was speeding along the same freeway. While my parents, as predicted, didn't buy me a Bizzarini, they did provide a used Volvo sedan. That was fine—the main point, of course, being simply to get off your feet and on the road. It was a great experience driving that freeway (it still

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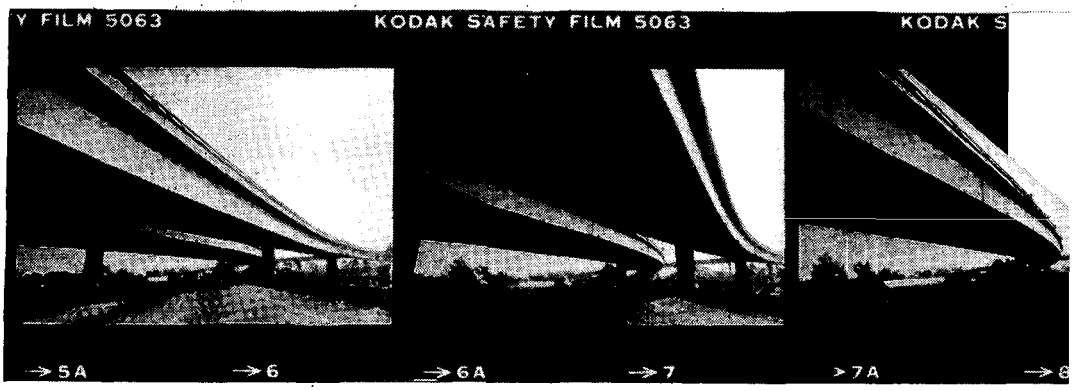

"... the most beautiful spot in Los Angeles"

is). At one interchange, there is a place where two ramps take off from opposite sides of the road and soar about 100 feet in the air, curving so close together at their peaks that you could jump from one ramp to the other. When a local magazine was asking prominent L.A. residents to choose the most beautiful spot in the city, it interviewed an up-from-Watts black scholar who was on his way to Yale Law School and he picked that freeway interchange.

At the end of the Santa Monica freeway, the road cuts through a canyon of service stations, shopping centers, and stucco Kalifornia-Kontempo apartments and plunges into a tunnel. You expect more of the same on the other side of the tunnel, but no, all of a sudden it pops you out on the beach, and you're zipping along with the Pacific shimmering 200 feet away and a row of cliffs holding back the tide of stucco apartments behind you.

Aside from the sheer pleasure of driving these freeways, there were a couple of key aspects to this autopia. The first, I think, had to do with democracy. The onramps of the Santa Monica Freeway were open to rich cars and poor cars alike—to 16 year olds as well as adults, to the Mex-Americans in their "taco wagons" (we called them that) to the Pacific Palisades dentists in their gold-filling Fleetwoods. We all got stuck in the same traffic jams, we could all kill each other if we screwed up when the flow was 70 miles-per-hour and packed in. All this contributed to the sense you got in Los Angeles those days (as long as you stayed away from the really impoverished areas like Watts or Boyle Heights) that the rich and poor weren't very different—they just drove different cars. But they all got to drive through the spectacular interchanges—and even if I suspected that would be more fun in a Ferrari, it was just fine, thank you, in my Volvo.

The second important aspect had something to do with freedom. Not the "personal mobility" kind of freedom the urban planners talk about—the ability to stop and buy a head of lettuce on the way home from work, that sort of thing—but something more ephemeral and symbolic. At every point when you are driving, you can decide to turn around and go someplace else, and take action right now. You decide when to stop, when to speed up, when to change lanes. It all reinforces the sense that you are, after all, the captain of your soul. Maybe the best expression of this aspect of driving was the famous scene in *The Graduate* where Dustin Hoffman drives the six hours between L.A. and San Francisco at 90 miles-per-hour in order to pursue his impulsive crush on Katherine Ross. You realize that to drive that far, that fast, he really had to want to get there, to steel himself against the continual lures of drowsiness, resignation, the temptation to stop for a burger. It wouldn't have been quite the same scene if Hoffman had simply gotten on

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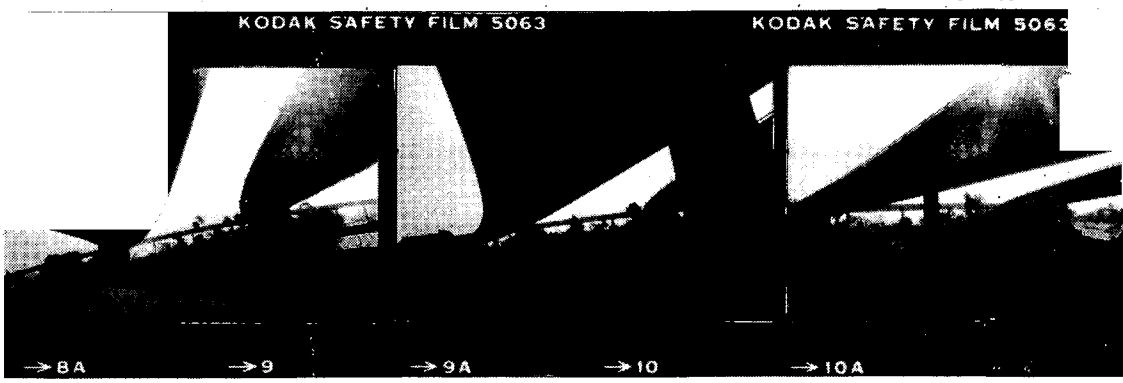
TIM CARLSON



a train and arrived, a few hours later, on Ross's doorstep.

If you read *Car & Driver* you got the sense that most of these joys of driving began to disappear sometime around 1970, when all the harsh realities started to make themselves felt—when the government required stiffer smog controls, and seat-belt buzzers, and fuel economy standards, and finally limited speeds to a numbing 55 miles-per-hour. A bitterness crept into the magazine's tone, and its fire began to be directed more at Washington than Detroit. Nader was no longer a half-altruist, but a "mega-hack moralist," while the Department of Transportation became the champion of a "mass transit world of worker-ants." The magazine had always had—well, a *macho* flavor, but now Yates revealed himself as a "male chauvinist pig of epic proportions" ("Men are supposed to be the aggressors, the predators, the food gatherers and home protectors, while women rear the children, keep the fires and mash the maize"). In 1971, Yates began to stage an annual transcontinental race (the Cannonball Baker Sea to Shining Sea Memorial Dash) from New York to Los Angeles, on public roads at unlimited speeds, as a sort of reverse-Luddite rebellion against the castrating Feds who were taking away all that muscular automotive technology. Yates and race-driver Dan Gurney, driving a Ferrari, won one Cannonball despite being ticketed in Arizona for doing 130. (The local representative of the worker-ant vision, if I remember right, had abandoned his breakfast in a roadside coffee shop to give chase.)

Today, things have calmed down a lot. The eight-mile-per-gallon "muscle cars" are gone, and nobody is clamoring to bring them back. *Car & Driver* has made its peace with the energy crisis, and with the current generation of unleaded, government-approved cars. They still don't like the 55 m.p.h. speed limit—or much else the government does—but the magazine seems content to preach to its (circulation 742,719) band of converts, confident that with the right radar detector and a good CB none of them will have to worry about speed laws. Yates has left, disappointed, he says, with the magazine, and is off publishing his own newsletter and running his transcontinental race. Open up *Car & Driver* these days, and you are apt to see large spreads devoted to Detroit's latest offerings. The pictures of Bizzarinis and the like have given way to technical explanations of energy-saving engines. But they can still call the Chevrolet Chevette "another little shitbox" and begin a review of the latest Fiat with the line "Torch the sucker!"

The Heartbreak of Satyriasis

And I still think a subscription to *Car & Driver*—or better yet, a tour through the back issues down at the library—should be required of any-

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body who wants to play a serious role in solving our nation's transportation and energy problems. A *Car & Driver* reader is just not likely to fall for the bloodless pseudo-rational attitudes that now color most of the writing and pronouncements concerning cars.

A *C&D* fan, for example, would resist the tendency to see the popularity of cars as essentially crazy. On this point, the classic exposition of knee-jerk anti-car bias was set to paper, not by Mumford, but by a man named John Keats, in his 1958 book, *The Insolent Chariots*. (Mumford did contribute the title phrase, though.) Keats described the average car owner, "Tom Wretch," as "a member of that great middle majority that reaches from the upper lower through the lower middle class. In a word, he doesn't have much money and he's not too bright. Tom drives his car to work." According to Keats, autos were designed for "people who buy illusions," people with "futile dreams of wealth and satyriasis,"—in short, "not for reasonable people like thee and me but for that vast section of the American public that presumably has something radically wrong with it."

Keats, of course, is a straw man, habitually set ablaze with glee by defenders of the auto. More worthwhile targets are those who see the car as simply another bit of consumption that can be explained only by reference to the manipulative powers of Madison Avenue. The most prominent of these not-so-straw men is probably John Kenneth Galbraith. In his *New Industrial State* he describes most consumer purchases—be they of autos or hair dryers—as attempts to fulfill "psychological wants," ("to serve sexual aspiration; promise social acceptability; enhance the buyer's subjective feeling of health"). Because these desires are not rooted in compelling physical urges, the consumer is "open to persuasion—or management—as to what he buys." This manipulation is in fact accomplished, says Galbraith, through the techniques of "mass persuasion"—mainly television. If the public buys cars, that is only a testimonial to the seller's skill. "The consumer may still imagine that his actions respond to his own view of his satisfaction," but Galbraith knows better. Advertising, as he drily puts it, "shifts the locus of decision in the purchase of goods from the consumer... to the firm."

Now Galbraith probably finds it perverse that a normal, hard-working citizen would plunk down $400 for a set of fancy tires rather than a lifetime subscription to the *New York Review of Books*. So he is receptive to the idea that the wizards at J. Walter Thompson have managed to hoodwink most of the American public into thinking a new car will improve their sex lives. That is probably what the J. Walter Thompson types think they are doing. And I don't want to underestimate the ability of advertising to connect up specific products with powerful social needs, like status or acceptance. There is no other explanation for opera windows.

But when it comes to explaining the popularity of cars in general, I think, we should throw the "Madison Avenue brainwash" theory away. Most of the pleasures associated with a car—the sense of democracy and freedom, the simple aesthetic pleasure of the freeway—come quite directly out of the experience of driving. It may not make much sense to Galbraith, but people may buy cars because cars in fact provide these pleasures—pleasures that are more important than the indirect "service of sexual aspiration" or whatever other extraneous psychological needs a desperate ad man might try to foist off onto his product.

Why Detroit Hates Cars

The average *Car & Driver* reader would be even less apt to swallow the explanations of our auto industry for why consumers buy cars—specifically, why they tend increasingly to buy cars made beyond our shores. Outside of Detroit, the conventional explanation of its failure is geared to the cars-as-

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transportation approach: American carmakers refused to adapt to the reality of the energy crisis, it is said, they kept building big, inefficient cars, and they are now paying the price. Fair enough. But why did they act so dumb? It seems clear that an important *cultural* failure underlies the inexcusable timidity and miscalculation that has characterized the behavior of our second-largest industry for the past 30 years—a failure that has a lot to do with what our auto makers have in common with Lewis Mumford.

Yates said it a decade ago: "The trouble is that... there are a lot of top management people in this industry who don't even like cars.... The three largest corporations are run, for the most part, by financial geniuses who wouldn't know a good automobile if one ran over them.... They are, for the most part, interchangeable with the men who produce ladies' ready-to-wear and bathroom fixtures." In other words, the makers of cars rarely shared their customers' passion for their products—perhaps believing men like Galbraith who said they could sell almost anything if they used enough sex on TV.

As a result, Detroit's reaction to the import threat has taken two equally disastrous forms. The first, and most enduring, reaction was a defensive hostility toward the seemingly inexplicable act of buying a foreign car. American auto executives latched immediately onto a condescending explanation: foreign car buyers were such snobs, they would buy a car just because it was imported. Detroit simply took Mumford's explanation of car-buying and substituted "foreign snobbery" for "infantile fantasies."

But this was a particularly self-defeating line of argument. When the writer Eric Larrabee visited the auto executives in Detroit in 1958, he found that "even the most enlightened may suddenly lash out with bitterness at 'eastern aesthetes' or 'effete eastern' habits, such as driving Volkwagens." That was when imports had eight percent of the market. A decade later, Yates would note that "In Detroit, it is thought by many that these cars sell because they are imported...the reasoning seems to go: They are buying imported cars. We cannot make imported cars domestically. Therefore, we have no reason for changing...." The imports' share then stood at ten per cent. After another decade, a Chrysler representative would tell *Consumer Reports* that "about 15 to 20 per cent of the American public will buy imported cars no matter what the U.S. industry builds." That was six months ago.

The problems with this theory became apparent to me in 1972 when I drove an ailing Datsun across the country and was surprised to find thriving Datsun service centers in such hotbeds of Eastern effetery as Davenport, Iowa and Salina, Kansas. And there are undoubtedly many in Detroit who have also finally realized the folly of writing off a growing share (now 23%) of the market to an outbreak of anti-American dementia. But the only other explanation they seem able to come up with is a rewritten version of the cars-as-transportation theory. The old magic isn't working, the argument seems to go. We can't sell them cars as mistresses anymore. They must have come to their senses. This is the "New Values" theory, which would have Americans buying imports only because they are cheaper to purchase and operate, choosing cars much as they would choose among competing light bulbs. Mumford would have understood this theory perfectly. But it becomes less and less plausible as foreign cars get more expensive, and American cars more economical—and the imports *still* eat away at the market.

What Detroit has yet to grasp—and what it might have appreciated if there were fewer Robert McNamaras in the industry and more men who had chosen to work there because they cared about cars—was the way much of the appeal of imports derives from the intrinsic pleasures of driving. Sure, a lot of people buy VWs and Volvos for their snob value—or, at the other extreme, because they want to save on gas bills. But just as many, I suspect,

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gravitated toward the imports because they handled better, and had a technical cachet, or because they liked the functional aesthetics of the foreigners more than the rolling-boudoir offerings of GM—in short, because the imports were more fun to drive. Cars like the Datsun 510 or Honda Accord didn't sweep the American market just because they were foreign, or because they were cheap—they also had a functional visual appeal and were great to fling into corners.

The essence of Detroit's failure was captured by B. Bruce-Briggs in his 1975 book, *The War Against the Automobile.* Bruce-Briggs is a neo-conservative, and his book is a defense of the "auto-highway system" (and what he calls "the modest satisfaction of having 400 horsepower") against the depradations of—you guessed it—"the 'New Class' of 'intellectuals,' academics, journalists, bureaucrats, and nonprofit professionals." But this isn't the ordinary picture of impudent snobs lusting for power instead of money—because Bruce-Briggs noticed that many of the liberals who supported mass transit and denigrated the automobile, the Nader's Raiders and courtroom conservationists, tended to have a dirty little secret. *They loved to drive.* That is, as long as they were driving the right kind of cars—not Cadillacs and Thunderbirds and Electras, but Volvos (Joan Claybrook's car) and Saabs (Galbraith drives a crimson '77) and BMWs. Most of all BMWs. The BMW 2002 is the quintessential New Class Car. With its compact dimensions, its functional-is-sexy interior, its fantastic roadholding, all hiding under just the right amount of transportational virtue, it's the automotive equivalent of butcher block furniture. (I don't think it was an accident that a 2002 was cast as Jack Lemmon's car in the Jane Fonda anti-nuclear epic, *The China Syndrome*, where Lemmon spends much of the second reel evading the power company goons in their hulking Ford.) Around 1975 the price of a 2002 hit $8,500, and its purchase became impossible to justify on cost-effectiveness grounds—yet there they were, in their down vests and L.L. Bean chamois cloth shirts, driving around in their little $8,500 Bimmers.

What was the Detroit executives' response to these well-heeled liberal aesthetes with their secret car lust? We know it already: Detroit hated them. They were the un-Americans, the nagging "foreign intenders" who refused to buy domestic cars even though American executives could prove, on paper, that a Granada was a cheaper, more reliable form of transportation than a BMW. What Detroit has conspicuously failed to do, confronted with this "New Class," is what you would think they would try to do instinctively—*sell cars to them!* Of course a Granada was—and is—roomier and more reliable than many imports costing twice as much. But the logical conclusion to draw was not that import buyers were beyond the reach of persuasion, but that they were simply buying their cars for other reasons. It shouldn't have been too hard for the companies that brought us tailfins and opera windows to figure out what those reasons were and build cars to fit them. Give the "foreign-intenders" a little sedan with square lines, an independent rear suspension, and a dashboard that looks like a Danish stereo system, and they'd be defending its merits at cocktail parties even after it had to be recalled because it exploded like a hand grenade in an accident.

The proof of how far Detroit has yet to go was the recent highly-publicized introduction of the new General Motors "x-body" cars. These are the cars, we were told by Chevrolet's general manager, that after several false starts would finally "tackle the imports head on"—the first of a new generation of American vehicles that Henry Ford II boasted would see the foreigners "driven back from the shores." On the outside, the cars looked pretty good—the Pontiac version even replaced some chrome with the matte-black finish prized by import-lovers. So I drove over to my local dealer to try one out.

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Once inside, it quickly became clear that GM had missed again. This isn't an ersatz BMW—it's another ersatz Caddy. The x-cars may get great mileage, and keep running forever, but I can no more imagine any of my friends trading in their Honda Accords for one than I can conceive of them hanging up their jogging shoes to take up bowling. And, to the apparent surprise of Detroit, the x-cars, although selling well, are stealing buyers away from other *American* models, while the sale of Hondas and VWs continues unabated.

Dead Ends

But if there is one group that should receive a free, taxpayer-subsidized subscription to the car magazine of its choice, it is the politicians and urban planners themselves. More than the academic gadflies like Galbraith and Mumford, more even than the managers of GM, these people will shape transportation for the next couple of decades. That is because they will have to preside over the means by which this country does—or does not—survive the energy crisis. And most of the strategies for survival seem, at one point or another, to require us to stop driving so much.

I have no quarrel with this goal. I am worried, however, that the people who are telling me how to meet it haven't a clue as to what they're up against. If a government official reads enough Lewis Mumford, and listens enough to Ralph Nader and Joan Claybrook, he might think cars are such deadly, repulsive devices that he should draw up immediate contingency plans for what to do when enlightened consumers begin to abandon them by the millions in vacant lots and old stone quarries.

Take the question of rail travel. There is nothing irreconcilable about enjoying cars and supporting trains as an alternative to them—as *Car and Driver* pointed out over and over in the 60s before it became convinced that urban rail systems were some kind of science fiction plot. There are, after all, many people who get a kick out of riding trains as well as driving. Some of the stations on Washington's Metro system are as spectacular in their own way as any freeway interchange in the country. And the more people who ride the trains, the more gas there is to power cars. . . .

At the same time, even a minimal sensitivity to the aesthetic, emotional, and social reasons for driving—rather than merely the practical reasons—would point up some obvious dead ends. Buses, for example, offer none of the aesthetic benefits of either cars or trains. They move slower than traffic, they stink, they afford little sense of independence. On paper, buses look great—cheap, almost as fuel-efficient as subways. But in emotional terms—and in terms of how likely people are to voluntarily ride the things—there is all the difference in the world.

Another one of the planner's favorite cures for the energy crisis is vanpooling. We hear a lot about vanpooling from the oil companies—about how Conoco and Aramco have put 38 per cent of their workers in Houston into vans. President Carter recently promised new tax incentives for other companies that organized van-pools for employees. All this enthusiasm is because vans look even better on paper than buses, combining equally good fuel economy with some of the "mobility" of the private car. But the Susan B. Anthony dollar looked good, too, before it hit the market. Think about it for a minute. The harried secretary, after a hectic day, is supposed to voluntarily climb into a stark Econoline with 12 equally irritable officemates—probably the very people she wants to get away from—and spend 45 minutes lurching through the same fumes and traffic jams she would confront in her own car. I suspect that the effect for most commuters would be the same as if the work week were lengthened by about seven hours. And while I have no doubt that Conoco and Aramco have ways of, shall we say, encouraging their employees in such high-visibility

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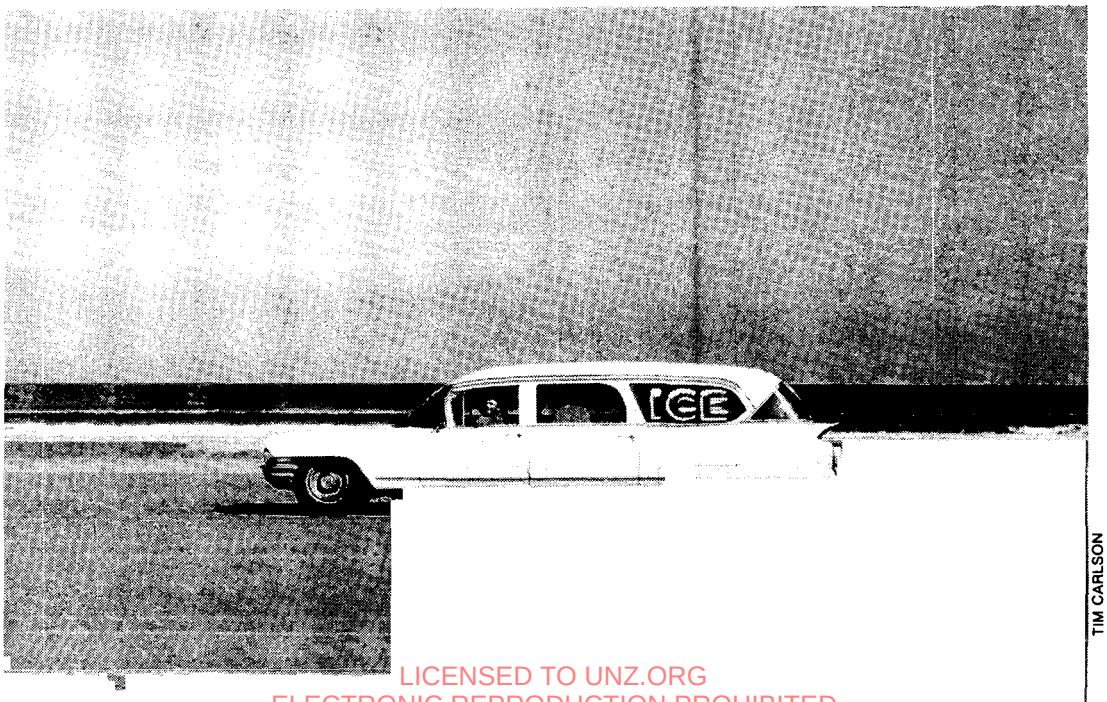
ventures, I have real doubts about the rest of us. "It's a matter," as *Car & Driver* used to say, "of emotional cost simply outweighing any daily drain on the pocketbook."

But of all the energy nostrums, the biggest loser in this emotional cost-benefit analysis is the high-price strategy for conserving gas, currently embodied in the plans for oil price decontrol. No doubt higher gas prices are a factor forcing people to buy more efficient cars—in practice, as we Eastern aesthetes know, that need not be much of a sacrifice. On the other hand, I wouldn't care to see the inflation rate when the price of gas—apart from the effect of shortages and temporary shocks—was high enough to actually force citizens, over the long term, to abandon driving. Cars simply offer too many things to us, aside from dollars-and-cents transportation, that their existing alternatives don't offer. It was by looking at dollars and cents, a few years ago, that economists predicted that $1-a-gallon gas would make driving such a shockingly bad bargain for the average American that, surely, he would... come to his senses. Now we have $1-a-gallon gas, and 13 per cent inflation, and people are driving about as much as they ever did, having reacted to higher prices by grumbling and spending a larger share of their income at the gas station.

Today's anti-car etiquette creates the impression that if we have to give up driving, it will be quite painless, a marginal decision to shift from one mode of transit to another. Don't worry, the public is implicitly told, it's no great sacrifice—you must break off your silly dalliance with the auto, but the planners will be there with their buses and van-pools and cost-adjustments, and you won't feel a thing.

It won't wash. There is no use in pretending that people don't enjoy a form of consumption in which so many of them take such obvious pleasure. We would have a better chance of making it through the decade if we acknowledged the full extent to which giving up our cars *is* a sacrifice. It is a sacrifice, I suspect, that most Americans—even a few of us *Car & Driver* readers—would be willing to make. But don't insinuate that we're fools for seeing it as a sacrifice in the first place, and try to give us some other pleasures to replace the ones we're losing. Until then, I guess I'll drive. ■



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Tidbits & Outrages

Also, They Don't Pay For Remedial Speech Class

After he quit *The New York Times,* editor Roger Wilkins was interviewed by Alexander Cockburn of *The Village Voice.* It went like this: Why are people quitting the *Times*? "Because they treat you bad." Why did you leave? "It was not a good place to be and it was time for me to go." Why isn't it a good place? "Because people are sad." Why are they sad? "Because they are not treated well. . . I was not treated fair."

I Talk To The Trees

In 1976 Congress passed a law requiring federal agencies to buy recycled products whenever possible. The Environmental Protection Agency hired the consulting firm of Arthur D. Little & Co. to help write mandatory guidelines. Three years later the guidelines still haven't been issued.

In 1978 Congress passed another law requiring federal agencies to buy recycled products whenever possible. The Department of Energy hired the consulting firm of Arthur D. Little & Co. to help write *voluntary* guidelines. They came out on schedule.

The American Paper Institute, a trade association representing manufacturers of virgin (non-recycled) materials, retains a consulting firm to assist with governmental relations. Name that firm.

And Have a Safe and Sane 4th of July

The Chicago regional office of the Department of Labor prepared a memorandum for all employees warning them of the dangers of skin cancer caused by overexposure to summer sun. The memorandum was distributed September 6.

Egyptian Dentists Please Copy

Two pernicious rumors—that the Middle East situation is hopeless, and that American industry can no longer compete abroad—can now be laid to rest. Blacklisted in Egypt after the 1967 war, Coca-Cola today is taking full advantage of President Sadat's "Open Door" policy. "The summers are long and hot," Coke executives told *Advertising Age,* "and Islam forbids drinking anything stronger than root beer." Coke is erecting 40 billboards in downtown Cairo, running nine different commercials every day on the government's two TV stations, and building ten bottling plants. The ads feature young, affluent Americans, because Coke's market research suggests Egyptians envy them. Initial sales goal: 200 million cases (24 bottles per case) a year. The population of Egypt is 39 million.

But You Have to Give Tip O'Neill As A Credit Reference

If you need a loan fast, but can't figure out how to beat the interest rates, try this sure-fire formula devised by Charles C. Diggs of Michigan. First, make off with $40,000 from your office expense account. Then, confess to your colleagues and let them "censure" you. Promise to make good the debt. Finally, arrange to pay it back at $500 a month.

Under this plan, you have six years and eight months to pay off a loan with no money down and zero per cent interest. If you wish, you can use the principal to cover your legal fees while you appeal a mail-fraud conviction. If you make $5,000 a month, as Rep. Diggs does, you should be able to handle your payments. Best of all, since *you* are the collateral securing the loan, the House leadership will be eager to help get you re-elected. It's the only way they can get their money back.

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Stuck on Baltic Place: Why the Government Loses at Monopoly

by Gregg Easterbrook

It's easy to imagine what went on back in 1972, when the boardrooms of DuPont Chemical were abuzz with conspiracy. Modern-day robber-barons reclined in chairs of fine Corinthian leather while their operatives described a breakthrough in making titanium dioxide, a pigment for paints and paper. DuPont, it seemed, had learned to make the stuff far more cheaply than anyone else. How best to corner the market with this knowledge? the barons must have wondered, as tuxedoed menials passed among them distributing brandy and snuff.

Should DuPont try the "multinational bribe strategy," slipping black satchels to congressmen and functionaries? Or the "false advertising strategy," passing off ti-ox as powdered milk in Third World nations? If only the company had been content with one of these conventional business practices. No, it opted for a far more sinister scheme—the "growth strategy." In this diabolical plan, DuPont would cut its ti-ox price, but still make a profit. Meanwhile, it would build factories to make more of the cheap stuff, hoping, as the cruel corporate jargon put it, to "grow."

DuPont's customers were lulled into complacency. They mistook lower prices for a good deal. But luckily they had an avenger, the Federal Trade Commission. FTC discerned the recondite purpose of the "growth strategy," which officials found so distasteful as to require isolation from the normal flow of words via quotation marks. Customers, FTC hypothesized, would buy from whoever charged least. If DuPont increased its capacity for making cheap ti-ox, other companies—say, for example, ones that charged more—would lose business. DuPont would "grow."

This may sound like the part in Economics 101 when you gazed absently out the window, looking for Halley's Comet; of course companies grow when they cut prices. That's billed as the positive side of capitalism. Maybe it doesn't disturb you because you never realized what FTC realized—it's an anti-trust violation. Du-

Gregg Easterbrook is an editor of The Washington Monthly.

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Pont's cost-cutting gave it an unfair advantage over its competitors, who wanted to charge more. Those imperiled firms were small but worthy champions of local civic pride, like Gulf+Western, American Cyanamid, and SCM Corp. There's only one way to stop this injustice, thought FTC—force DuPont to raise its prices. That's what the agency is asking for in the name of "consumer protection."

Now, forcing up prices may strike you as a rather roundabout way to protect consumers. Surely when FTC looks at DuPont—a conglomerate giant spewing mutant molecules—it can find a more telling complaint than that the company doesn't charge enough. But more important, you want to know what the price of ti-ox has to do with the battle against monopoly. Why isn't the government off smashing up cartels, like in the good old days, and ferreting out the monopolists?

Monopoly Begins at Home

You know, as does the FTC, that the spirit of monopoly pervades American life. If there's anything the American businessman yearns for more than the free flow of competition, it's the elimination of his own competition. This urge has traveled far from our shores, and come back to haunt us in the form of monsters like OPEC. But like most habits, it begins near the home—on the street corners of every American town. The local distributors who serve our stores and institutions hoist up their own little monopolies, each carving off a particular product or section of town. Lawyers and doctors hide behind their guilds, dousing competition by declaring it unprofessional.

If you're blessed with health and a clean legal slate—and don't run your own business—you may have the good fortune of never dealing with this breed of local monopolist. Everyone, however, has been forced to genuflect before the legally sanctioned monopolies that preside over our daily lives—the phone company, the power utilities. If your gas fails on Friday evening, the power company will be by to fix it Monday morning. It doesn't do any good to point out that you didn't plan for the gas to shut off at an inconvenient time. Offhand references to the frost forming on your asthmatic grandmother's glasses have no effect. There is nothing you can do.

Maybe while you are sitting in the cold, numbed by your helplessness, you can try to re-direct your anger at the next level of monopoly: the "regulated" industries where government intervenes to keep the buyer impotent. In banking, broadcasting, trucking, and others, the government grants firms an indulgence (disguised as a license). In return for protection from competition, the firms promise to charge whatever they please.

So as you shiver before your regulated television, you raise your anger one final step and wonder what became of the trust-busters—the FTC and the Justice Department's Anti-Trust Division. You don't expect them to break up the trucking cartel; the legislature created that monopoly, and they can dissolve it. But you do expect them to take action against the rest, from the unglamorous local monopolist to the new robber-barons, the concentrated industries. Maybe you've read that one per cent of America's firms control 64 per cent of the nation's manufacturing assets. Why haven't those Goliaths been routed lately? Why do we get complaints about the cheapness of paint pigments instead?

The problem is that the federal trust-busters, through an almost uninterrupted string of court defeats, have lost their power to break up industries. The tremendous populist support for anti-trust exists despite the reality that, since the Sherman Act was passed in 1890, there have been only a handful of classic monopoly-busting victories. The last victory was in 1968, when the mighty Grinnell Corp., a maker of security alarms, was brought to its knees. Breaking up really is hard to do.

Yet the government keeps firing duds at the fortress of big business—lengthy, expensive anti-trust suits that

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don't go off. It makes great copy for the Attorney General to announce that he's dragging Intergalactic MultiCorp into court. Eight years later, when the vaguely worded complaint is dismissed for lack of evidence, the dramatic announcements have long since been forgotten.

Hammering away at big business with futile lawsuits can have one welcome side effect. It may give the good-guy lawyers—and there actually are some—inside the boardrooms a chance to put on their white hats, persuading their clients that some particularly predatory action will lead to a costly anti-trust suit. This possibility once lent credence to a "perpetual harassment" theory of anti-trust. If the government couldn't bust up the big companies, explained a law professor and FTC advisor, "at least we could let them know we were breathing down their necks." But this approach has its limits. "You can't frighten the companies when you never win," the professor noted. In fact, some businessmen have learned to see the pageantry of anti-trust battles as working to their advantage. With a couple dozen of the Fortune 500 always before the bar, and well-meaning government lawyers declaring that victory is within their grasp, the public may assume that big business is on the run.

So the government anti-trust lawyer begins to feel frustrated. He's sick of losing cases. He gropes around for the new theory that might let him nail someone's logo to his wall. He is confronted throughout his search by the extraordinary vagueness of the anti-trust laws. These laws offer only the dimmest of clues about what the companies should or shouldn't do—basically, they just tell judges to go forth and clean things up. There is nothing even close to agreement among legal scholars on such fundamental points as, say, how big a company must be to be a monopoly. Does it need 30 per cent of a market? 50 per cent? 95 per cent?

The absence of specifics has a Janus-like effect. It makes it just short of impossible to prove that a company is monopolizing; but it makes it easy to read unfair behavior into almost any circumstances. One particularly fertile field for breeding new forms of legal attack is the clause in the Sherman Act that makes it illegal not only to have a monopoly but to "attempt" to get one. The "attempt" theory, in fact, is what's allowing the government to sue DuPont, which has 42 per cent (not a controlling share) of the ti-ox business, and isn't making extreme profits.

The drawback to these "attempt" cases is that the government never wins them either. The law demands proof of "dangerous probability" that a firm actually will win its monopoly. Keep in mind that this is the American legal system—the judicial mechanism that, after finding Col. Mustard, in the library, with the lead pipe, will stall for years before pronouncing conviction. How can you possibly "prove" that a smallish company will, at some unspecified time, become a lumbering titan? (Remember, you can't even prove that lumbering titans are lumbering titans.) Stock brokers get handsome fees for trying to predict economic conditions a few days in advance. So you can see what an "attempt" case is up against.

The Naives Are Restless

DuPont got itself into an "attempt" mess by developing a cheap method for making ti-ox, a compound with a $700-million-a-year market. Traditionally, ti-ox was dissolved out of ore using sulphuric acid. There are only so many things you can do with a rock, but in the late 1940s DuPont figured out a way to use chloride on the ore, instead of sulphuric acid. This chloride process employed low-grade, low-cost ores, and did not produce tides of waste sulphuric acids. But it was hard to get the process to work in a factory. DuPont struggled with its chloride ti-ox plant through the 1950s, while its market share shrank to 15 per cent.

By the "growth strategy" sessions of 1972, however, the picture had

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changed. DuPont's engineers had perfected the process. Meanwhile, the price of high-grade ores—the kind everybody else had to use—had doubled. EPA rules were making it expensive to get rid of sulphuric acids. DuPont found itself making ti-ox for far less than its rivals.

In FTC's eyes, DuPont had three options. Just by going along with the prevailing price, it could make a handsome profit. Or, it could plow some money back into new ti-ox plants. Or, it could lower prices. Since ti-ox accounts for about $1 of a $10 gallon of paint, the average man on the street might order those choices like this: Taking the profits would be cold villainy; building new factories would be okay; cutting the price would be really nifty. As it happened, DuPont chose to do a little bit of each—the "growth strategy." You might assume that FTC thinks DuPont should have simply lowered prices. Wrong. FTC says the responsible thing to do would have been to take the profits and run. When a lawyer at the trial asked the FTC's expert witness, economist William Shepard, "Isn't it a good thing to keep prices low?" he replied, "To a naive view, yes."

What FTC feared was that low ti-ox prices would reduce industry profit margins, making it harder for DuPont's rivals to afford new factories once they figured out the chloride process. If the competitors couldn't compete, FTC reasoned, then DuPont would become a "dominant" firm and start raising prices at will.

The best defense against "dominance" has always been the ability of other firms to jump into a business and compete. For complex modern businesses, though, it's often a long leap. Because of the manufacturing and distribution networks required, it

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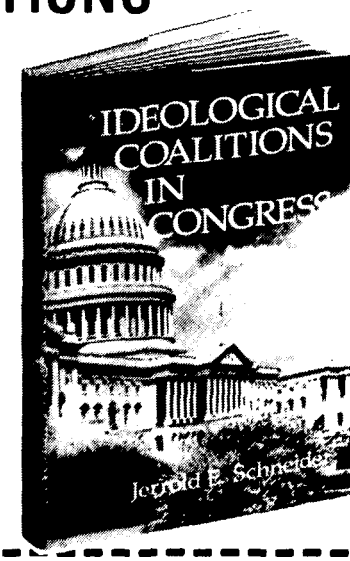

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would be almost impossible to enter the auto business, even if GM sent you its patents, gift-wrapped. This isn't necessarily the result of sinister acts. A firm already in a field, with experience and access to capital, naturally has the advantage over a newcomer. It's the old circularity—How do you get your first job when you don't have any experience?—operating at the industrial-strength level.

But FTC decided DuPont's cost-cutting gave it an advantage that was unfair, building what economists call a "barrier to entry." Barriers are bad things: making something cheaply is a good thing. When lawyers try to make the intellectual leap of saying a good action (cheap ti-ox) creates a bad result (barrier to entry), the going gets treacherous.

Especially so since, in the great grope session of getting an anti-trust victory, the Justice Department has sued other companies to demand that they keep competitors out. Some years ago, for example, a joint-venture company called Penn-Olin tried to enter the sodium chlorate (another paper-making chemical) market in the Southeast. Justice sued to block the new entry. It reasoned that as long as Penn-Olin was not in the market, it would be "on the edge, continuously threatening to enter." This would force firms in the market to cut their prices, in order to scare Penn-Olin away, which the government said would be good. Never mind that now, in DuPont's case, it says scaring away competitors is bad.

A Real Find

FTC stumbled across ti-ox and DuPont's "growth strategy" in the mid-1970s, when it was checking out mergers in the paint business. The agency couldn't help but notice that DuPont's market share had blossomed from 30 per cent in 1972 to 42 per cent (and still climbing) today. But FTC didn't find any predatory pricing—selling below cost to knock others out of business—at DuPont. It found something better. There were hot documents.

Unlike most conspirators, DuPont had written its plans down. When FTC staffers ran across the records, they smelled blood. "I'd never seen anything so blunt," said one. "It was a real find." Business expansion is like sexual conquest—everybody's supposed to want it, but it's indiscreet to say so. At last, thought the lawyers, here is the mercurial "proof" of an attempt—a chance to win a case! They responded as their training taught them, pushing ahead to win without regard to whether it made any sense.

To the average citizen, the documents might seem hot only in comparison to the 1953 index of the *Federal Register*. Most were memos in which DuPont officials discussed their plans for new factories, and speculated about whether rivals would try to build cheap ti-ox plants of their own. The messages contain such smoking-gun passages as "Lack of major activity by DuPont . . . would prompt competition to implement their own plans."

This is not the kind of stuff found at the bottom of the chairman's safe. Every businessman wants to expand and outpace his rivals. It was from these documents, though, that FTC divined the "growth strategy" which, it said, had three elements: Hold down prices, to discourage other companies from investing in factories; build a big new factory as fast as possible; and don't license the process to competitors. It took some ingenuity for FTC to make the "growth strategy" sinister, because it reads like a set of b-school flashcards. There was the additional drawback that reducing prices, building factories, and not licensing are all perfectly lawful actions.

What made it seem illegal? Mostly one of the hot documents, a computer printout. This printout was interpreted by FTC to prove that while consumers would save $186 million as DuPont cut ti-ox prices to grab the market, they would then *lose* $573 million when DuPont was free to drive its price up. DuPont claims the printout is inaccurate. "We've got printouts laying

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around here to prove anything you want," one company official said. "Some of them prove DuPont just went out of business." In fact, almost all of FTC's information about the ti-ox business came from DuPont's own files, and DuPont has proven itself a much better maker of chemicals than of predictions. Part of the "growth strategy" was the DuPont computer's prediction that all factories using sulphuric acid—except one in St. Louis owned by NL Industries—would close by the end of the 1970s. At this writing, every one of those plants is going strong—except the NL plant in St. Louis, which shut down. This is the quality of information FTC is relying on.

The FTC was also aroused because it saw in the memos proof of DuPont's "intent" to monopolize the market. This made the hot documents even hotter. They showed that DuPont had a conscious strategy; it wasn't just throwing darts. "Without the documents," an FTC lawyer told me, "there would have been no point to this case."

Does that mean, I asked the lawyer impudently, that if DuPont were just blundering along—cutting prices through typographical errors, inadvertently putting $200 million into a factory when it meant to give the money to the Fund for the Whales—things would be fine? "Yes, of course," he said. "It is their intentions that are on trial here." This is an oddly evangelical notion to exercise in the anti-trust courts. It's akin to the Christian stance that coveting your neighbor's wife is a sin whether you ever lure her to your hot tub or not.

The "intent" concept was meant mainly to keep out of circulation incompetent robber-barons—ones who tried to organize cartels and failed. But allowing monopoly cases to turn on whether a businessman dreamed aloud of dominating a market might lead only to the stocking of corporate files with cloying records. Future DuPont memos may read:

CHAIRMAN OF THE BOARD: Say, did you notice our market share just jumped 25 per cent?

CHIEF EXECUTIVE OFFICER: Heavens sake, why?

CHAIRMAN: Could it have something to do with that 200-acre factory you dedicated last month?

CEO: I'd forgotten all about that. Say, should we license the revolutionary new process we've developed there?

CHAIRMAN: I'd like to, but I feel too inner-directed to worry about business today. Besides, I'm in a triple-low. Let's just blunder along aimlessly, as we have in the past.

CEO: We could do that... but it would be wrong.

Shaking the Invisible Hand

Nobody can dispute that, if free copies of the cheap ti-ox plans were available (signed, "Love, DuPont"), we'd all be better off. Competition among firms armed with the improved process would drive the price down even further. It's just that this has been true since Henry Ford invented the wheel. That's the reward that inspires businessmen to search for new ways of doing things. Nobody ever challenged this entrepreneurial privilege until the ti-ox case, according to several legal scholars. FTC lawyers strenuously protest that their intent is not to discourage innovation—it just works out that way in this particular instance. But if the government wins, there are several reasons for thinking that will be precisely the effect.

One reason is the government's absolute inability to so much as hint at what DuPont should have done instead of what it did. I asked that question of all the principal government lawyers in the case and all dodged it. Finally, one FTC official addressed it. "What DuPont should have done," he said, "is anything they wanted to, so long as it wasn't later interpreted as a violation of the [anti-trust] laws." A helpful slogan for businessmen to hang on their walls.

Another reason is that, as part of its judicial "remedy," FTC wants DuPont to license its process, without royalties, to its competitors. "The other compa-

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nies (in the ti-ox business) are at a tremendous disadvantage through no fault of their own," said an FTC economist. Gulf+Western, NL and industrial giants of their ilk could have been perfecting the cheaper process years ago (its basic chemistry is well known). But they didn't bother. Why should they, with federal no-fault insurance available?

Suddenly, in such twists, fair is foul and foul fair in the filthy air of Wilmington, Delaware. When anti-trust is perverted into a device for maintaining the status quo—cancelling the impact of competition—it becomes just another government subsidy for big business. And a subsidy only for lousy business, to boot. Suppose DuPont had done what FTC implies it should—kept prices up, and not built a new factory. NL, which used to be the ti-ox leader (DuPont passed it in 1974) would still be reaping big profits on its antiquated process. The profits would be rewards for failure. One of the reasons NL's sulphuric acid process became too expensive was that it produced seven times more waste acid than a chloride system. NL was spending more and more on acid disposal because EPA kept requiring it to barge the chemicals farther out to sea before dumping them. It sounds like capitalism's invisible hand is doing everybody a favor by giving the thumb to such pollution. FTC would rather protect it by artificially high prices.

But if you are still dying to nail DuPont, there is a final objection to the FTC's approach. Neither the FTC nor DuPont know for certain what will happen in this, or any other, industry. FTC officials acknowledge that by pressing this suit, they run the risk of discouraging innovation in other fields. So why bring the case now—when there's only a *possibility* of monopoly? The government claims DuPont's cost advantage is so profound, and its growth so irresistible, that it is "inevitable" the company will obtain a full-blown monopoly. If so, why not wait till it does, and the case is clear-cut? And if there's a chance DuPont won't get its monopoly—well?

The Last War

Compared to the glacial advance of most anti-trust actions, DuPont's is speeding through the system. It went from complaint in 1978 to trial last winter. One of FTC's internal judges just dismissed the charges, so the government is appealing. All this speed is the result of DuPont's confession. The company basically agreed it planned to go after the market, but said, in effect, "So what?" If the case reaches the U.S. Court of Appeals, the government stands little chance of success. "It's a born loser," a former FTC lawyer declared. Yet the agency is devoting substantial resources to pressing the case, according to one of FTC's chief anti-trust planners, because "This is no minor matter for the future of American industry."

How do trust-busters get backed into such corners? They are sophisticated and public-spirited officials, and not oblivious to the irony of their position. But their century-old legal weapons are antiquated. Anti-trust laws were designed to combat the single-firm, fire-breathing monopolies controlled by a single robber-baron puffing a single fat cigar. Flagrant examples of that—and cartels such as Standard Oil and American Tobacco in the 1910s—were like zeppelins. They droned along, boastful of their bloated outlines, and many got knocked down. But the industrial barons in the zeppelins got the message. They regrouped, and emerged again as today's concentrated industries. In concentrated industries, three or four independent firms share a market. They can wield the same kind of economic clout, and charge the same kind of orchestrated prices, as monopolies. But they're not a single firm or a blatant conspiracy—the things monopoly laws were designed to fight. If monopolies were zeppelins, their modern counterparts are clouds; everybody can see 'em, but nobody can touch 'em. Armed with obsolete weapons, the trust-busters are condemned to fight the previous war.

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One is a bit taken aback to discover this vacuum at the core of a critical field of law. Here, where great intellects have focused on a single problem for nearly a century, we expect to find a highly structured art. Instead, there's little more substance than an unenforceable general rule that it's better if companies tone it down. This is just as frustrating to anti-trust lawyers as it is to the rest of us.

Unfortunately, the lawyers all too frequently take out their frustrations by filing cases like DuPont. Or else, pressured to do *something* about the economic power of big business, they file dramatic cases doomed to run aground. Here's the status of some of the great beached whales of anti-trust now before the courts:

• *Exxon.* This suit, against the eight largest oil companies, was filed after the embargo in 1973. The unfair practices it accuses them of are so vague, however, that a trial date has yet to be set. "There was no theory (specific charge) in 1973, and there's no theory now," said an informed FTC lawyer. "It's the lost brigade we wish we could recall." Former FTC official Wesley Liebeler calculates that, by last year, the government had spent $17 million preparing its case; the defendants, he thinks, have spent several times more. There is little chance the government will win, but the case cannot be dropped because it would look like caving in to Big Oil.

• *IBM.* The five-year trial of this 11-year-old suit is still in progress. New Attorney General Benjamin Civiletti is trying for an out-of-court settlement that would involve as little loss of face as possible. If any contemporary firm tripped the monopoly alarms, it had to be IBM, with 80 per cent of the mainframe computer market. But as the lawsuit crept along, competitors sprang up, IBM was forced to cut prices, and the company now is just another lumbering titan.

This suit was filed on the last day of the Johnson administration. A senior government official explained that Johnson wanted to leave Nixon an embarrassment—a hopeless case he could not drop, because it would look like caving in to IBM. Nixon passed the favor along.

• *Ethyl.* Four makers of gasoline anti-knock compounds are charged with "price signalling." FTC says they maintained a quasi-public cartel by using press releases to tip each other off about prices. That way, each could coincidentally raise its price whenever another did. This must be extra perplexing for DuPont, one of the minor defendants in *Ethyl.* In the ti-ox affair, FTC is mad at DuPont for not charging what everybody else charges. Here, it's mad at DuPont for charging what everybody else charges.

FTC wants anti-knock companies banned from mentioning prices to the press. This is supposed to prevent them from cross-checking on price. Never mind that it will have no impact, because the companies will always be able to get their rivals' prices just by calling up customers. It indicates the lengths trust-busters will reach in their genuine desire to accomplish something—but it's the equivalent of banning handguns on an artillery range.

• *Kellogg.* If any suit promised to crack a concentrated industry, it was this one. FTC started with a clean, simple complaint. It charged four firms with dominating the breakfast cereal business. The plan was to avoid a legal sideshow over the firms' conduct, and simply see if the courts would break them up. If the courts would not—as it was believed they probably would not—anti-trust advocates would then go to Congress and say, "Look, we found the perfect case and we lost. Now give us new laws that work, or forget it."

This case became a splashy one, involving mothers, children, nutrition, and our national habit of starting the day with a bowl of candy. Industry circled into the obligatory stall defense. FTC was sucked in. It let the case get mired in endless debate over equivocal questions, like whether cereal makers produce hundreds of cereal flavor combinations in order to guarantee there will be no space to stock rivals on

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grocers' shelves. Four years after the charges were filed, the judge retired. The case is now in limbo.

• and *AT&T.* In this instance, the Justice Department basically told AT&T, "We know you're monopolizing the communications industry, but we don't know how. So give us all your records." AT&T began, of course, by falling back on the obligatory stall. When, after three years of virtuoso stalling, it realized it would have to surrender documents, AT&T switched to the "boxcar" defense. It said it would deliver boxcar after boxcar of documents—50 million in all. After a year of pleading, the government won the dubious right to receive only 5 million documents. It's sifting through them now.

According to a well-informed source on the AT&T defense team, the conglomerate has 2,000 people working full time on the defense of this case. The bill so far is running to $100 million a year in legal fees. Where does all that money come from? Look for a rate increase.

The picture is not rosy. But it's too early to leave revolvers in the desks of anti-trust officials and expect them to do the manly thing—at least, just yet. Government trust-busting has won some victories for consumers. The FTC, for example, has compiled an admirable record against the price-fixing activities of professional associations. It cracked the ban on price advertising for eyeglasses. The result, according to FTC officials, has been a 40-percent decrease in the cost of eyeglasses in many states, and a national savings to consumers of $500 million a year. FTC forced Levi Strauss Co. to stop retail-price maintenance for its jeans; prices fell $2-$3 per pair on the day of the ruling. FTC is in the final stages of forcing the American Medical Association, the patron saint of professional greed, to allow competitive advertising. Most of these victories involve monopolistic passages in the charters of professional associations or the laws of our states—something the lawyers can sink their teeth into. But in the major economic arenas where competition has given way to collusion—such as the concentrated industries—there are no published bylaws.

Spacing Out

Is there no defense, then, against the new fat cats? At the international level, where cartels like OPEC threaten the world's economy, the problem has passed out of the trust-busters' hands. Stopping OPEC requires American, and international, determination. This is determination we've yet to develop.

On the local level, the trust-busters could dig in against the scores of mini-monopolies in distribution and service. But these routine cases must be prosecuted outside the library. They seem like "minor matters for the future of American industry." They don't get written up in law reviews. The high-powered federal legal talent often isn't interested.

As for the concentrated industries that command the national scene, it's time we faced the fact they are beyond the reach of anti-trust laws. To get at them, we would need new laws. These laws could either set specific, numerical limits on the market shares a company may reach—thus rescuing judges from never-never land economic arguments—or allow Congress to break up industries on a case-by-case basis. They could lead to a radical re-structuring of the economy. But we should either write them, or give up the chase. Until then, a lot of talented and motivated trust-busters—some of the best people in our government—are wasting their time and our money.

Anti-trust law has become the legal equivalent of the space program. While there are critical social problems like the oil shortage unaddressed here on Earth, we sink hundreds of millions of dollars into Moon shots. These probes fly off into the legal heavens in the faint hope that somewhere, out there, they'll discover something worth reaching. By the time any of them return, Buck Rogers will be President. ■

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The Crashes of '79: The FAA Stalls Out

by Lester Reingold

The first airplane built to U.S. government specifications flew at Fort Myer, Virginia on September 17, 1908, with Orville Wright at the controls. The plane crashed.

Since then, more than 60,000 people have died in U.S. air disasters. And the government has reached the point of spending more than $2.5 billion a year to promote flight safety, through funding of the Federal Aviation Administration.

Air travel has a relatively good safety record. But that record, ironically, has become an obstacle to obtaining a better one. With more than 100,000 people airborne over the United States at any given moment, it's assumed that some accidents are inevitable. This has led to a kind of benign neglect at FAA. Inertia, inaction, delay, and complacency have cost many lives—because while it may be true that absolute safety is an impossible dream, it's equally true that there's still room for much improvement in the way airplanes are built and operated.

The history of air safety confirms that needed changes are usually brought about only after a disaster generates publicity and political pressure. This is called the "blood-on-the-runway" approach to safety. This year we had the spectacle of a DC-10 crashing in Chicago after an engine fell off; later, the plane's engine mounts came under scrutiny, as did FAA's certification and inspection procedures. But this was only the most recent episode in a regulatory record punctuated by disaster.

Something of a classic in blood-on-the-runway regulating was demonstrated in the case of a 1974 crash that ranks as the worst single-plane accident in aviation history—a tragedy that gave two years' advance warning before it happened.

The prologue took place on June 12, 1972, in the skies over Windsor, Ontario. What happened there to Bryce McCormick, piloting an American Airlines DC-10 at 11,750 feet, was like driving on an expressway and having the steering wheel come off in your hands. An explosion tore through the plane and most of the controls suddenly became useless. By manipulating the throttles Captain McCormick wrestled the big jet safely to the ground.

The National Transportation Safety Board—the independent federal agency that investigates air accidents—immediately began an inquiry. There was no question about the cause of this

Lester Reingold is a Washington writer.

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near-disaster: the plane's control cables had snapped in a chain reaction that began when an improperly designed latch allowed a cargo door to blow off.

The NTSB immediately urged FAA to require that the flaws be corrected on all DC-10s. This could have been accomplished by issuing an Airworthiness Directive, which would have made it a legal requirement to correct the problem. Instead, FAA negotiated a "gentlemen's agreement" with the plane's manufacturer, McDonnell Douglas, in which the company promised to modify the planes.

The promised modifications had not been performed on the cargo door latches of a Turkish Airlines DC-10 that took off from Paris on March 3, 1974. In flight, a latch gave way and a door blew off. This time there was no piloting miracle. The plane plunged into the French countryside, killing the 346 passengers and crew.

This was not the only time when FAA complacency and foot-dragging have contributed to an avoidable disaster. A few years ago, it was estimated that half the crashes in the world were cases of "controlled flight into terrain"—in which planes were flown into the ground because of poor visibility or guidance error. Devices were available to prevent this by signaling the pilot that he was flying too low. NTSB, among others, repeatedly urged FAA to require these devices on all airliners. No action was taken, even after a Lockheed TriStar skimmed into the Everglades in clear weather.

In 1973, NTSB made the recommendation again, calling the warning systems "the single most effective means of preventing approach and landing accidents." FAA responded that the system was not yet perfected, and would cost $11,000 per plane. Further study was needed, FAA said. Then, on December 1, 1974, a plane approaching Dulles Airport slammed into a mountaintop, killing all 92 passengers and crew. Two weeks later, FAA adopted a rule requiring the warning systems.

Then there are the cases where even repeated crashes provoke no effective FAA response. The search for a means to prevent midair collisions is an example. Part of the problem is that aviation is an arena of competing interests. Privately owned planes vie with the larger air transport craft for access to the airways, pilots are often at odds with air traffic controllers, airports with the neighboring communities. In the absence of FAA leadership, the contestants just snipe at each other. So it has been with collision avoidance. The pilots want a cockpit-based collision avoidance system—which would sense an impending collision and direct evasive action. The controllers, who happen to be FAA employees, want the system based on the ground with them. The result: no system at all, even after last year's San Diego collision between a Boeing 727 and a private plane. The latest estimate from the FAA is that something will be ready for operation by the mid-1980s.

Regulatory Democracy

Delays stretching to decades are particularly incongruous in an agency devoted to aviation—an industry that loves to rhapsodize about its rapid development. The agency responsible for the safety of this industry often moves, as one critic puts it, "in a range between slow and very slow." Despite the deadly consequences of failing to act swiftly, new rules or changes in existing ones can take years to be passed, even when an unmistakable hazard is involved. In 1975 the General Accounting Office reported that it takes an average of 24 months after a rulemaking is approved for the final change to be issued. GAO found cases where the delay was more than five years.

While FAA is vested with enormous powers to "promote safety of flight," these powers have been exercised with a benevolent restraint. So most of the thousands of inspections that each airplane must pass are performed not by FAA employees but by employees

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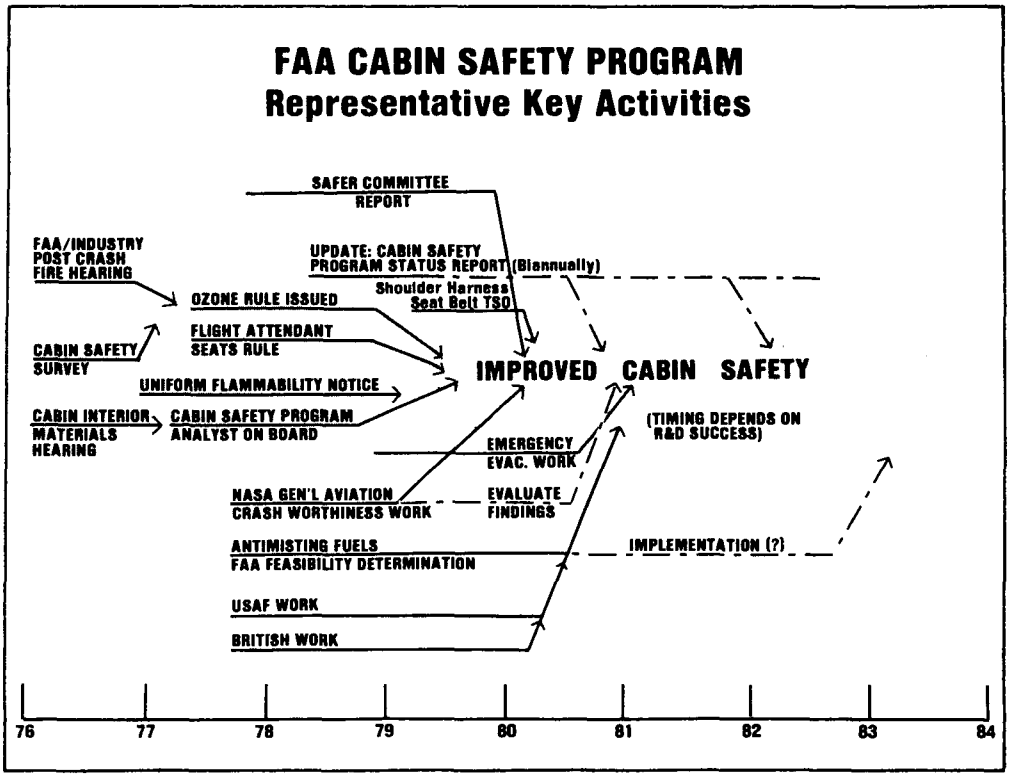

Yes, but will it fly? *This is one of the charts FAA shows Congress when asked to explain the pace of its safety activities. The numbers at the bottom indicate years.*

of the aircraft manufacturers, authorized by FAA to pass judgment on the quality of their own products. So, when the first DC-10 cargo door blew off, no order was issued requiring modification, for fear of inflicting financial hardship on McDonnell Douglas. And so, when a rule requiring the "ground proximity warning system" was finally issued, airline pressure held the compliance deadline off for two years.

As one former chief of FAA's evaluation division put it, "FAA is really a democracy, in that if those it regulates don't like a proposed rule, FAA will abandon it."

Eyebrow Edicts

The National Transportation Safety Board is one of the smallest agencies in the government; its $16-million annual budget would keep FAA going for two days. Created in 1966, NTSB was made completely independent in 1974 after word reached Congress of a Nixonian effort to mute the Board and bring it under White House control. Even though it remains in the Department of Transportation building, with FAA offices above and below it, the Safety Board fastidiously guards its position as an independent enclave.

Most observers agree that NTSB has been successful at maintaining its credibility over the years. It is also one of the few government agencies in which at least some of the politically appointed members must have actual qualifications for the job. Of the board's five members, the act requires that "no less than two... shall be individuals who have been appointed in the field of accident reconstruction, safety engineering, or transportation safety."

Aircraft accidents are usually the result of a series of errors and failings, and NTSB investigators are masters at piecing together the story from the

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most elusive of clues. Audio specialist Paul Turner, for example, interpreted a single click on the tape from a cockpit voice recorder to pinpoint a switch that had been mistakenly turned off, leading to a crash.

Not all NTSB investigations are greeted with acclaim, however. Its findings are sometimes disputed, often by the Air Line Pilots Association, the union that represents the pilots of most U.S. carriers. ALPA generally takes the position that when an investigation ends with an accusation of "pilot error," the investigators haven't gone far enough. ALPA's objections are given serious consideration, because most airline pilots are tough safety advocates. ("We're always the first ones at a crash," they like to point out.) If a pilot makes an error, ALPA wants to know what was in the system that permitted him to make that error and permitted the error to lead to disaster.

When an Eastern Airlines DC-9 crashed into a cornfield on approach to Charlotte, North Carolina, there was no doubt that the pilot had been flying too low. Pilot error—but why? At least part of the answer lay with the plane's altimeter, which could be easily misread. Called a drum-pointer, this confusing instrument is still in widespread use, even though it has been implicated in several other crashes and even though an altimeter with an unmistakable digital display is available.

If planes are found to be flying with obsolete and dangerous instruments, why doesn't somebody flat-out order them replaced? If not FAA, why not NTSB? But NTSB has legal authority over neither industry nor FAA.

"We regulate by raised eyebrows," says NTSB vice chairman Elwood Driver. There is actually a sensible idea at work in this arrangement; the theory is that enforcement and investigation should be kept separate, so that the enforcer cannot be placed in the awkward position of investigating his own adequacy. But NTSB is frequently criticized for not doing more to cross the subtle line between passive and active recommendations—it could be much more persistent (and public) about badgering FAA when FAA is sluggish about responding to NTSB's recommendations. NTSB says that on 72 per cent of its recommendations FAA has taken action it finds acceptable. But that's cumulative, going all the way back to the day NTSB opened for business in 1967. To get a better idea of the situation, look at the record for any single year. Of the 71 NTSB aviation recommendations issued in 1977, for example, 56 were still awaiting FAA action halfway through 1978.

'Survivable' Death

Still more revealing is a look at which *types* of recommendations receive the slowest FAA response. According to Driver, most of these involve factors that determine your chances of surviving a crash.

An airplane falls out of the sky and the impact destroys it, instantly killing everyone on board. To most people, that's what a plane crash is all about. But in fact this description fits only perhaps 30 per cent of crashes. There is another type of accident—the "survivable" crash, in which the plane is only damaged initially and most if not all of the people on board survive the impact. What kills in a survivable crash is what comes *after* the impact: fire, smoke and toxic gas.

Typically, a survivable crash goes like this: The impact in a landing mishap ruptures a fuel tank, touches off a spark, knocks out the power, and tears some of the passengers' seats loose from their moorings. The lights in the cabin go out, the escape routes are blocked by the scattered seats, and fire and smoke fill the plane in less than a minute. The odds of getting out of such a crash alive can be so bad as to suggest that "survivable" is a misleading adjective. The fire potential alone is awesome. A fully loaded 747 may carry 40,000 gallons of highly flammable aviation fuel at takeoff.

But burning fuel is not the only thing to fear in an aircraft fire. Next time you

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fly, take a look around you as you settle back in your seat. Survey the tasteful, restful cabin interior—and reflect that virtually everything you see is potentially lethal. If they began to burn, the seat cushions and carpeting would give off hydrogen cyanide, the wall panels would give off hydrogen fluoride, and carbon monoxide would be generated by just about everything in sight. The cabin of a typical wide-body jetliner contains nearly five tons of mostly synthetic materials capable of giving off huge volumes of smoke and toxic gas when they burn.

Crash investigators have been worrying about this aspect of "survivable" accidents for years. When a Lockheed Constellation crashed in Virginia in 1961, for example, investigators found that all 79 aboard had survived the impact—but 77 died within minutes from carbon monoxide poisoning. This was a pattern repeated in 1965 at Salt Lake City, in 1970 at Anchorage, in 1979 near Athens—in more than 300 accidents over the past 15 years.

The only way to save lives in "non-survivable" crashes is to prevent them from happening. But "survivable" crashes can be made less deadly by reducing the threat of fuel fires and explosions, and by using cabin materials that won't burn readily and that emit little smoke and poisonous gas when they do burn. Although FAA has been struggling with this problem for more than 30 years, it has little to show except a regulation that requires cabin materials to be self-extinguishing—which means a dropped cigarette won't trigger an inferno. But this regulation (adopted in 1946) doesn't address the problem of coping with flames, smoke, and toxic gas when the plane's fuel catches fire. Equipment manufacturers have lobbied hard and successfully thus far to keep such regulations from being imposed, arguing (in the words of DuPont) that "compartment materials are not a major... problem [compared to] crash impact and jet fuel." In other words, the fuel tanks will get you before the seat cushions do. NTSB's files, however, are full of evidence that thousands of people have died from toxic gas—and then there are grisly cases like the Varig 707 that crash-landed near Paris with 123 dead people on board, killed by a cabin fire that never spread to the fuel system. Thus far, industry has managed to persuade FAA that what's needed is something called a "combined hazard index"—a method for figuring out the synergistic effects of everything that can kill you. It sounds appealing but, conveniently, it's beyond the current state of the art. So FAA has given $397,000 to McDonnell Douglas to think about it.

State of the art was also the reason given for withdrawing the rule on fuel system protection—another "survivability" problem that has gone uncorrected for decades. In 1963 a Pan Am 707 was destroyed in flight by a fuel tank explosion caused by a lightning strike, and the same thing happened to an Iranian Air Force 747 in 1976. Tank explosions can also destroy planes on the ground—as the takeoff crash of a TWA 707 in Rome demonstrated when fire set the tanks off.

According to both FAA and the industry, a satisfactory method to prevent fire and explosion has not yet been devised. There have been attempts at explosion-proofing fuel tanks by replacing the air in them with nitrogen or filling them with plastic honeycomb, and some of these systems are in use today in military aircraft—including Air Force One. But there were added costs, weight penalties and maintenance problems that the commercial aviation industry—and FAA—called unacceptable.

Furthermore, these systems offer only limited protection when fuel tanks rupture in a crash. FAA is currently testing an additive that prevents fuel from turning to mist when it sprays out from a ruptured tank—important research, because fuel ignites much more readily as a mist than as a liquid. Initial tests of the additive have been successful, but FAA is quick to point out that more testing is needed. How much more? FAA's best estimate: several years.

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Race, Sex, and Safety

After the industries that would have been bound by crash survivability standards convinced FAA that such standards were beyond the state of the art, FAA met privately with industry representatives to discuss what to do instead. Ralph Nader's Aviation Consumer Action Project objected, because closed-door sessions between a regulator and the industry it regulates are illegal. The industry, specifically the airframe manufacturers, then came up with the idea of a public advisory committee in which both government and industry would be represented, along with a smattering of representatives from consumer interests, academe, and professional organizations. It was called SAFER (Special Aviation Fire and Explosion Reduction Advisory Committee), and it was established to "consider all aspects of post-crash aircraft fires and. . . recommend a program of corrective action to the FAA Administrator." To SAFER's supporters, the committee is the first coordinated approach to aircraft fire safety, the first to consider all the complexities in drafting a set of standards, the first to draw on all available expertise. To skeptics it's another delaying tactic dreamed up by industry to forestall regulation.

So far the skeptics have largely been proved right. SAFER was given a two-year mandate, beginning June 1978. Selection of the members was to be completed by October 31, and within 30 days after that, FAA administrator Langhorne Bond promised in a letter, the committee was to hold its first meeting. SAFER didn't meet until May of the following year. The delay, FAA claimed, resulted from carrying out the time-consuming task of collecting information on the race, sex, and political affiliation of the advisory committee members.

But the problem is not so much SAFER itself as the fact that it has taken the place of FAA rulemaking. Research should go on, if need be under SAFER's aegis. But new regulations—of the sort FAA was supposed to start developing in 1969—should not have to wait for the completion of that research. The optimum cabin material is still to be found, perhaps, but FAA's own research has identified some of the worst materials for use in an aircraft interior, and those at least should be banned. Better test methods may be discovered later, but the ones in hand are good enough for at least a first set of standards. And as for the relationship among smoke, gas, and flammability, say critics, new materials are already available with better characteristics in all three areas.

SAFER has in fact made a few recommendations for an interim standard to cover smoke, gas, and flame in cabin materials. But FAA is under a tight deadline if it wants such rules to save many lives. The reason is that a new generation of passenger aircraft will appear in the early 1980s. When the last generation, the wide-bodies, began to appear a decade ago, it was a time for upgrading regulations. Stiffer flammability standards were issued for the new planes. If there is no regulatory spring cleaning at this time, planes such as Boeing's 757 and the McDonnell Douglas DC-9-80 will be manufactured according to no standard for smoke or gas and in line with an aging flammability standard. These planes may be flying well into the next century, and if they start coming off the production line before the new standards are in effect, it will be many years before their cabins are upgraded.

Into the Harbor

Survival in a plane crash does not depend on fire protection alone; it's also a matter of rapid and safe evacuation. Here, too, FAA regulations are at issue.

The Aviation Consumer Action Project and the Association of Flight Attendants have petitioned FAA to require that airplane seats be able to withstand at least as much as the people who sit in them. There's no such

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requirement today. When a 20-seat Twin Otter crashed in Maine, there was no smoke or fire, and the cabin was not seriously deformed; yet all but three of the seats ripped loose from their moorings, and all but one of the 18 passengers were killed.

The current seat standards were adopted in 1952, and have been upgraded only slightly. FAA admits that improvement is needed, but says that research must precede rulemaking. And so a "man/seat dynamic computer model" was developed to study the problem. In a 1976 FAA report, that model was reported to be completed; yet the agency says that at least four more years of research are needed.

There are also dangerous problems with the inflatable slides that passengers and crew are supposed to use in an emergency to get from the doorway to the ground. In 1978 a DC-10 at Los Angeles aborted a takeoff after three tires failed, and one leg of the landing gear gave way before the plane came to a stop. With the plane closer to the ground than normal, one of the emergency slides extended at the wrong angle. Overloaded with passengers who couldn't get out fast enough at the bottom, the slide tore loose. The rest of the slides failed because of exposure to heat and flame. Even

Travelers' Advisory: The Commuters Are Coming

In the wake of airline deregulation, which permitted the major carriers to stop serving dozens of communities, the commuter airlines have been enjoying rapid growth as they move to fill the vacuum. For passengers, this is a mixed blessing at best. The accident frequency of commuter lines is about three times that of the major carriers, and the number of commuter fatalities has been rising rapidly. In 1978, 30 commuter plane accidents killed 28 people. In just the first seven months of this year, 48 people died in commuter crashes.

The major air carriers are governed by one set of FAA regulations, called Part 121. The more than 200 commuter lines are governed by a different set, Part 135. Part 121 is much more stringent than Part 135. Some examples: on the smaller planes, pilots are permitted to work longer hours, less safety equipment is required, and there are fewer maintenance requirements. The rationale for this double standard, as explained by one FAA official: "We don't apply the same standards to air commuters as we do to big air transports. If the standards were as stringent and all-encompassing, there'd be no commuter service." At least one FAA inspector is likely to be having second thoughts about this view; he narrowly survived a November commuter-plane accident in South Carolina, one of two such crashes in 24 hours in which ten people died.

In 1972, the National Transportation Safety Board issued a study urging that Part 135 be brought into line with Part 121. In 1976, FAA held a "regulatory review" conference, and in 1978, six years after NTSB's original recommendation, a revised Part 135 was finally adopted. Unfortunately, its strongest regulations are applicable only to the larger commuter planes, which are generally safer than the smaller ones. Thunderstorm warning equipment, for example, is required in planes with ten or more seats, but not in planes with fewer than ten seats. The same rule applies to ground proximity warning systems and cockpit voice recorders. The rationale, once again, is that the operators of small planes will be less able to bear the cost of this

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though slides are used only in emergencies, where fire is often present, NTSB found in its crash investigation that "when these slide/rafts were certificated as a part of the DC-10 aircraft, no consideration was given to the slide/rafts' serviceability when exposed to radiant heat." As a result of the Los Angeles crash,which had 33 evacuation casualties, FAA began research on heat-resistant materials for emergency slides.

This dammit-why-didn't-we-think-of-that approach to air safety sometimes reaches well beyond the point of absurdity. Take the case of the National Airlines night flight to Pensacola that ended in Escambia Bay, about three miles short of the runway. Scrambling out of the plane into the water, some of the crew members and passengers took their seat cushions with them to use as life preservers—remembering, from drills on other flights, that seat cushions float. In Escambia Bay, however, the cushions fell apart—and three passengers drowned. It turns out that flotation-type cushions are required only on "extended overwater" flights, and National's flight, like most, wasn't in that category. But consider—a plane is most likely to crash just before landing or just after takeoff. Now think about

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equipment than the operators of larger planes.

FAA also watchdogs the maintenance and operation of the commuter airlines. Here are some indications of how it's doing:

- Fifteen passengers and two crew members were killed when a Beech 99 flown by Columbia Pacific Airlines crashed on takeoff in 1978. NTSB concluded that FAA's certification and checkups of the airline's flight crew and maintenance personnel were "ineffective and deficient."
- The crash in the Virgin Islands of a plane flown by Antilles Air Boats killed the pilot and four passengers and prompted an NTSB investigation, which found that "although the company had three maintenance bases, 15 to 18 aircraft, and transported about 266,000 passengers annually, only two part time inspectors were assigned to monitor the commuter air carrier's activities."
- A four-engine piston plane operated by Puerto Rico International Airlines (Prinair) stalled on takeoff on July 24 and fell back to the runway, killing eight of the 21 passengers. Investigation revealed that the plane had been 900 pounds overweight and misloaded so that the center of gravity was too far to the rear. The previous winter, Prinair had signed an agreement with FAA in which it had promised to institute a proper system for loading its planes.
- At the time an Air New England plane crashed in Hyannis, Massachusetts, last June, the pilot, who was 62, had been on duty for 14 hours and had participated in more than a dozen landings. Commercial pilots must retire at 60, but commuter pilots can fly at any age.
- Five days after the DC-10 crash in Chicago, a Downeast Airlines flight hit the ground short of the runway in Rockland, Maine, killing 17. The pilot had been attempting to land in foggy weather. Downeast president Robert Stenger told NTSB that any one of his pilots could use his "best judgment" to cancel a flight—but "it better be a legitimate reason, and not just because he wants to do it. And if... other companies are still flying, and he decides not to, then I don't feel that he's using his best judgment. . . ."
- At Greater Cincinnati Airport, a plane flown by Comair Inc. crashed in early October, killing eight. In the past year Comair has doubled its passenger load, thanks to CAB deregulation. The FAA inspector responsible for Comair expressed his philosophy this way: "If this operator was not in existence, then where is my job? You understand, it's a dual role—we have to regulate, and we have to promote aviation."

—*L.R.*

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how many airports are located next to large bodies of water, and wonder why flotation cushions aren't standard on all flights.

Regulatory Lullaby

FAA claims to have found a new concern with crash survivability. "I think our focus became too devoted to accident prevention," says FAA administrator Bond. He has promised that "more attention and effort will be directed toward helping people survive accidents." The agency's experiments with the anti-mist gas additive are offered as one example of this concern, along with a program for fire-testing cabin materials in a full-scale airplane interior, using the fuselage from an old Air Force cargo plane. New evacuation systems are to be tested there as well. Yet, when you add up all these projects, it turns out that less than $10 million of FAA's $80-million research and development budget is now spent on fuel system and cabin safety research, with the balance still going for accident prevention projects.

To be sure, some safety improvements are appearing even without government pressure. The cabin of the DC-9-80, for example, is to have aluminum sidewalls, rather than the more flammable plastic-based ones. "If you look at the proposals that Boeing now has for their new aircraft," says Joseph Del Balzo, acting director of FAA's National Aviation Facilities Experimental Center, "standards they've set for themselves are higher than the standards being used today." But letting the rules lag behind industry performance hardly seems something to boast about. FAA's own ad hoc committee to investigate certification of the DC-10 after the 1974 Paris crash warned against letting "regulatory policy... continue to fall behind the state-of-the-art in today's rapidly advancing civil aircraft design and production technology."

And despite all the concern about state of the art, it may be that cabin safety is more an economic problem than a technological one. There are companies already able to develop cabin materials superior to those found in today's airplanes. At least initially, however, these new materials would cost more, and so before going into development and production, the companies need assurance that the aircraft manufacturers will be customers. The aircraft manufacturers, in turn, need assurance that the airlines will buy airplanes with the new materials.

Without rules requiring it, there's little incentive for the airlines to pay the additional initial cost. Accidents prevented don't show up on a balance sheet, and neither do lives saved in a survivable crash. (The airlines can't even promote their safety efforts in their advertising. Under unwritten agreement among the companies, an airline may tout your chances of enjoying one of its flights, but not your chances of surviving it. When Pacific Airlines broke the taboo by hiring humorist Stan Freberg to design some ads aimed at reassuring fearful passengers, the executives responsible lost their jobs.)

This is precisely the sort of situation that cries out for strong, effective, *creative* regulation. Creative? Yes, and in an economic sense. If FAA issued clear-cut safety requirements, an incentive would be created to produce such materials at reasonable cost, and a market would automatically be created for the new products.

But this is not the way FAA thinks. And that is why few people, outside the air industry, are happy with the Federal Aviation Administration. When you read safety proposals written ten years ago, and realize they are still pending today, you get a sense of time suspended. At FAA headquarters in Washington, you can hear the jets approaching and departing from National Airport, and it is a matter of statistical record that the great majority will complete their flights uneventfully. The sounds of those successful flights are the sounds of complacency at FAA, the sounds of a regulatory lullaby. ■

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Richard Reeves on Political Books

My own test for the immediate influence of a book has always been the number of people I see carrying it onto airplanes. By that standard, *Restoring the American Dream* is an influential book—even if, or especially if, a lot of the people toting the thing head for the First Class section.

I also have been getting a lot of mail from people who question my sense, or patriotism, suggesting that I will be transformed by a few hours with the thoughts of the author and publisher, Robert J. Ringer. That didn't seem likely to me, since I was offended by the titles and intent of his earlier best sellers—*Winning Through Intimidation* and *Looking Out for #1*—and had been laughing at the full-page advertisements for himself that seemed to be running in every newspaper in the country every Sunday.

Anyway, I read it, and so have a lot of other people, judging by its steady place on the best-seller lists. I was not transformed. But I was impressed, at least with the growing power of the political idea behind the book—Libertarianism. I would sum that up as home-grown social Darwinian anarchy. Survival of the fittest without government—and with the assumption that the fittest are Robert Ringer, William E. Simon, and thousands of starry-eyed, idealistic young things who think William F. Buckley is a great guy but something of a socialist.

Richard Reeves is the author of Convention. *His column is a regular feature of* The Washington Monthly.

Ringer, who argues with all the force and conviction of a bright high school sophomore, defines it this way: "The initial premise underlying the philosophy of Libertarianism (and of this book) is that each man owns his own life and therefore has the right to do anything he wishes with that life, so long as he does not forcibly interfere with the life of any other man. This forms the basis for what we will hereafter refer to as Natural Law."

Ringer would like to eliminate government, especially taxes of all kinds, which he defines, again and again, as "theft." I took great pleasure in the fact that he has not wholly figured out how to do this and is occasionally reduced to writing things like: "If I am dissatisfied with a product or service, I am quite capable of complaining to the company from whom I purchased it. If the company refuses to give me satisfaction, I have the option of either not dealing with that company in the future or of taking the dispute to court (charging either fraud or a violation of the implied contractual obligation)."

"Court," of course, is government. Eventually, I suppose, the Libertarians would get rid of courts. We could go back to duels between consenting adults. Guns would probably be a big part of Libertarian society, along with genuine pornography on ABC television, and medical schools restricted to those who could afford to pay, say, $20,000 a year in tuition.

Mocking them, however, does not

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mean writing off Libertarian thinkers—I'm not sure Ringer can be called a "thinker"—either philosophically or politically. Their ideas may be exaggerated, but they are both attractive and valuable at a time when even a high school freshman should have some sense that government is reaching deep into the average American's hourly life. And, in the 1978 California gubernatorial election, the Libertarian Party's candidate, Ed Clark, won six per cent of the vote without spending any real money. (Clark is the party's presidential candidate for 1980.) Some of that vote was blind protest, but a lot of Californians knew exactly what they were doing, and an avowed Libertarian has been elected to the Alaska House of Representatives.

In fact, Ringer is most persuasive when he writes about the unfairness of American election laws to people like the Libertarians. He says the United States actually has a one-party system, lumping Democrats and Republicans together as "Demopublicans." That isn't quite true, but he is more perceptive than some traditional political analysts in seeing to the core of state election laws and public financing. Most state laws are, in effect, contracts between the two parties, guaranteeing them—and, often, only them—access to the ballot. Public financing, in reality, institutionalizes the two-party system at the same time it cripples the parties themselves by channeling money directly to candidates who then need a party only as a device to get on the ballot. Public financing of campaigns is a wonderful do-gooder idea, but the more we have of it, the more static American politics will become.

Beyond flashes of insight like that, Ringer is a romantic—an anti-intellectual Utopian. Kind of charming. Government, he believes with stunning certainty, has destroyed the national economy, robbed the taxpayers, and broken the spirit of the people by going off the gold standard and printing too much paper money. Everything would be fine, he argues, if we would just go back to a more "primitive"—my word—economy, one including a lot of bartering. He can explain everything—inflation, poverty and malaise—in terms of "illegal" taxation and too much governmental regulation. Everything, that is, except the Great Depression, which somehow happened when the economic world was more to his liking.

Ringer's ideal time, he says, was the period between the American Revolution and the drafting of the United States Constitution. In those few years, he thinks, Americans were "free"—well, except for slaves and women and things.

In the end, he advocates the phasing out of government over, perhaps, 50 years. When he advises people how to go about accomplishing that politically, he sort of falls apart, exhorting the faithful to talk about freedom a lot, not to think of themselves as parts of groups, to take advantage of all tax deductions and refuse to buy government securities, and to consider not voting as a means of protest. "Make an unwavering commitment to become fiercely independent and individualistic," he advises.

"If you now work for the government," he continues, "the biggest contribution you can make to America is to quit your job and find work in the private sector. If you are responsible and conscientious, the marketplace is full of opportunities for you. And when you put your efforts into private industry, you will be producing wealth—i.e., products and services people want, not services they are forced to take."

I thought of being forced to take fire protection. I remembered reading about—and being impressed by—privately owned fire departments under contract to municipalities somewhere in the West. The private departments were operating at costs far below comparable public fire departments. A few months later, I read a story about the men of one of the private departments watching while a home burned down—seems the homeowner hadn't paid his bill. Libertarian firemen. ■

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political book notes

Public Affairs books to be published in December

Bringing the Left Back Home: A Critique of American Social Criticism. Gary Thom. Yale, $17.50.

Corporate Strategies of the Automotive Manufacturers. John B. Schnapp and Project Team. Lexington, $22. The Department of Transportation commissioned a study on the "economic sensitivity of major automotive regulatory programs," and this is what it got. The consultants interviewed auto executives in eight companies, and "numerous automotive industry experts outside these companies," and then distilled the conventional wisdom for the regulators. The study touches on interesting issues, such as the way the federal fuel economy standards serve to further entrench the biggest auto manufacturers, and how Detroit has become dependent on South Africa for the platinum used in catalytic converters. In expert fashion, however, the authors skim around the implications of these problems, while they dish up bland scholarly versions of the American executives' complaints about how the government is requiring them to build "unprofitable" small cars. The fact that VW and Toyota are able to do just fine making small cars is explained by the fact that "if they could not sell these cars at a satisfactory profit in their home and export markets, they could not survive as growing corporate entities." Well, and what if Detroit wants to survive?

—*Robert M. Kaus*

Current Issues in Transportation Policy. Alan Altshuler. Lexington, $18.95.

The Efficient Use of Energy Resources. William Nordhaus. Yale, $17.50.

Energy and Environmental Issues: The Making and Implementation of Public Policy. Michael Steinman, ed. Lexington, $18.95.

Hostage Cop: The Story of the New York City Hostage Negotiating Team and the Man Who Leads It. Frank Bolz and Edward Hershey. Rawson, Wade, $10.95.

Innovation and Public Policy: The Case of Personal Rapid Transit. Catherine G. Burke. Lexington, $22.95.

The New Interdependence: The European Community and the United States. Gordon K. Douglass with Steven Koblik. Lexington, $16.95. The legacy of most academic conferences is usually a hardcover book like this one, as opposed to, say, some fresh ideas. *The New Interdependence* is the result of a gathering of American and European heavyweights who assembled at Pomona College in California to discuss the state of the European Community and its effects on the world. They seem to have been bored. They conclude that the world is a better place for having witnessed the birth of the EC, and that whatever differences still exist between civilized nations (this, of course, excludes the Soviet Union) they can be dealt with in a civilized manner.

My favorite bit is this description of the way the European Parliament functions, a description that might be overlooked amidst all the weighty talk:

"Members of Parliament are faced with two practical problems: their own double mandates and the fact that European Community business is conducted in three different cities. Brussels is the seat of the Commission and the Council, and where we have committee meetings. Half the Parliament's plenary sessions... are in Luxembourg. The remaining plenary sessions are... in Strasbourg. One travels all over, losing much time. The additional cost to the Community is approximately $15 million per year. It is nonsensical, but it is unlikely to change because of the pride of the national governments involved."

—*Joseph Nocera*

The Rebirth of the Mexican Petroleum Industry. Edward J. Williams. Lexington, $19.95.

Rules and Racial Equality. Edwin Dorn. Yale, $14.

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Science, Politics, and Controversy: Civilian Nuclear Power in the United States, 1946-1974. Stephen L. Del Sesto. Westview, $17.

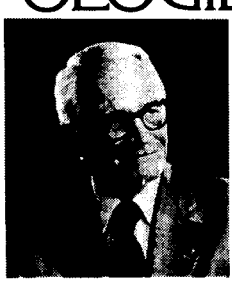
Slave Trade Today: American Exploitation of Illegal Aliens. Sasha G. Lewis. Beacon, $10.95. Although this book is not a fun read—Lewis relies heavily on records of arrests and criminal proceedings—it is a thorough account of what undetermined millions have gone through for the chance to work in this country under the most oppressive conditions we have to offer. But Lewis is strangely reticent in her recommendations, calling vaguely for an "overhaul" of the immigration code to remove its blatant biases, resorting to sentences like: "No answers or ideas will be produced unless the questions are asked and faced." She effectively debunks the theory that the aliens, on balance, cost American jobs—so why is she afraid to say we should simply let them in?

Space Stations: International Law and Policy. Delbert D. Smith. Westview, $22.50. You can't just run out and *do* these things anymore. The world is too complicated for that. So just because we're ready to start sending space stations all over outer space and to begin reaping the rewards of our technical know-how doesn't mean it's going to happen any time soon. There are *legal* problems, you see, lots of them, and it appears that it will be many a year before they are sorted out.

This book is 200 pages of explanations of those legal hang-ups, or as the author puts it: "It must be realized... that while technological problems are being rapidly overcome, the ensuing societal, legal, economic, and international questions are just beginning." Without getting into the kind of detail that burdens this book, suffice it to say that the problems stem from a United Nations document entitled the *Outer Space Treaty of 1967*, put together by the U.N.'s legal subcommittee. Typically, the document is worded so

"It has always been my style to put the cards on the table."

WITH NO APOLOGIES



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vaguely that everyone could sign on the dotted line without a second's thought. Unfortunately, this also means that no one really agrees on anything in the treaty. For example, there are widely divergent views on the meaning of "peaceful uses of outer space" for space stations.

Dream on, trekkies. With issues as fundamental as these unsettled, it'll be a long time before you read about your favorite space station in the newspaper.

—*Joseph Nocera*

Technology, Defense, and External Relations in China, 1975-1978. Harry G. Gelber. Westview, $18.50. The author, head of the political science department at the University of Tasmania in Australia, wrote this book during a year's study in the United States. He appears to have spent most of his time skimming through collections of newspaper clip files. He can't really be faulted for that—until recently there weren't many other ways to scrutinize developments in China—but his book suffers from two notable drawbacks: if you, too, have been reading the papers, you will have a strong sense of *deja vu*; and developments in China have simply outpaced the book's research.

Thus, facts and figures sprinkled through the text cannot be relied on; thus, many of the author's admittedly tentative conclusions are suspect—he describes China as a major military power capable of "devastating" her neighbors, when in fact China's adventure in Vietnam demonstrated that her equipment was obsolescent and her tactics largely ineffective.

Assessing Deng Xiaoping's ambitious "four modernizations" campaign to upgrade education, science, the military and agriculture, Gelber rightly questions China's capacity to coordinate such a sweeping effort: "... A highly educated research sector is not enough. Access to the world community is not enough. A propensity to high investment is not enough. The various parts of the system must fit together and be managed in an adaptive and flexible way." The great question still open is whether Deng or anyone else can overcome the inertia of China's extraordinarily complex and listless bureaucracy, at the same time resolving questions of mutual distrust between the cities and the provinces. Nobody knows the answer to this question; to the reader sifting for clues, Gelber provides nothing new or especially interesting.

—*Thomas N. Bethell*

The Therapeutic Revolution: Essays in the Social History of American Medicine. Morris Vogel and Charles Rosenberg. University of Pennsylvania, $18.50.

William O. Douglas: A Biography. Edwin P. Hoyt. Eriksson, $8.95. When the urge strikes you to read an admiring book about Justice Douglas, read his autobiography, *Go East, Young Man*. This book is not an acceptable substitute. Its saccharin content is so high that the FDA should slap a restraining order on the publisher, and it is jammed with stylistic fandangos like this description of Douglas's days at the SEC in the 1930s: "Douglas and his staff worked long hours. Day after day he went to the Capitol for hearings. They lasted from 9 to 5, with a break for lunch. Evenings and early mornings were spent in preparation. He and his assistants worked late nearly every night." The author writes as though he had rented his typewriter, and this book should be approached only with extreme caution, or, preferably, not at all.

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In terms of serving the purposes of *The Washington Monthly*—to help you understand the American system of politics and government, where it breaks down, why it breaks down, and what can be done to make it work—eight books published this year are especially useful:

• **The White House Years,** by Henry Kissinger—which should be read along with **Sideshow,** by William Shawcross; • **Bay of Pigs,** by Peter Wyden; • **Senator,** by Elizabeth Drew; • **Marvella,** by Marvella Bayh and Mary Lynn Kotz; • **Confessions of a Muckraker,** by Jack Anderson and James Boyd; • **The Powers That Be,** by David Halberstam, and • **The Man Who Kept the Secrets,** by Thomas Powers. Other books published during the year that were singled out by our reviewers include:

The Brink
David Detzer (Crowell)

China Scapegoat
Gary May (New Republic)

Confession and Avoidance
Leon Jaworski with Mickey Herskowitz (Doubleday)

Now, the full story of Katharine Graham and her media empire — including new information on Watergate secrets.

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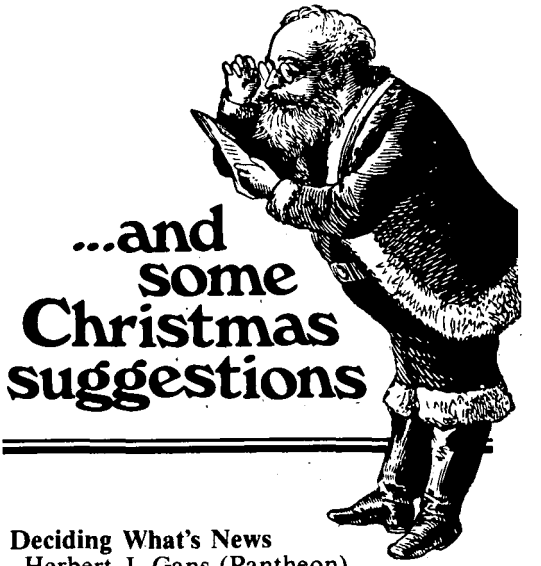

...and some Christmas suggestions

Deciding What's News
Herbert J. Gans (Pantheon)

Endgame: The Inside Story of SALT II
Strobe Talbott (Harper & Row)

Grand Scam
Peter Stein and Richard Lipez (Dial)

Human Rights and U.S. Foreign Policy
Peter G. Brown (Lexington)

The Lawsuit Lottery
Jeffrey O'Connell (Free Press)

Merchants of Grain
Dan Morgan (Viking)

The Nature of Mass Poverty
John Kenneth Galbraith (Harvard)

Power on the Left: American Radical Movements Since 1946
Lawrence Lader (Norton)

The Price of Defense: A New Strategy for Military Spending
Boston Study Group (Times)

The Private World of Congress
Rochelle Jones, Peter Woll (Free Press)

Promise and Performance: Carter Builds a New Administration
Bruce Adams, Kathryn Kavanaugh-Baran (Lexington)

Schooled to Order: A Social History of Public Schooling in the United States
David Nasaw (Oxford)

The Search for the Manchurian Candidate
John Marks (Times)

The Streets Were Paved With Gold
Ken Auletta (Random House)

Suffer the Children: The Story of Thalidomide
The Insight Team of *The Sunday Times* of London (Viking)

Ten Thousand Working Days
Robert Schrank (MIT)

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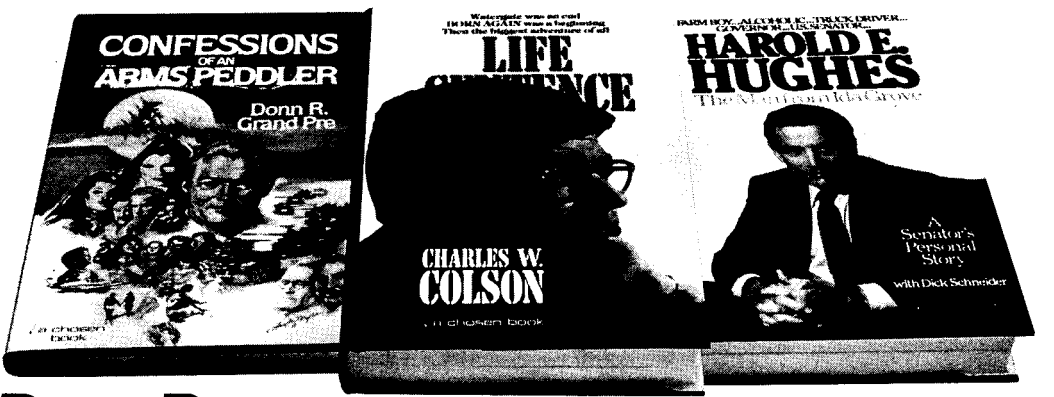

Donn R. Grand Pre

CONFESSIONS OF AN ARMS PEDDLER reads like a thrilling novel, but the events between its covers didn't spring from an active imagination. The billion-dollar deals, the intrigue, the deception, the blackmail are all real. They involved real people. Donn Grand Pre sold billions of dollars' worth of heavy weaponry designed to equip nations for war, while the forces that warred within him invaded his marriage, his family, and brought him to the brink of disaster. Not until then did he confront the Source of true power.

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—Robert H. York
Lieutenant General
United States Army (Retired)

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—Jack Anderson
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—Edward M. Kennedy
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